

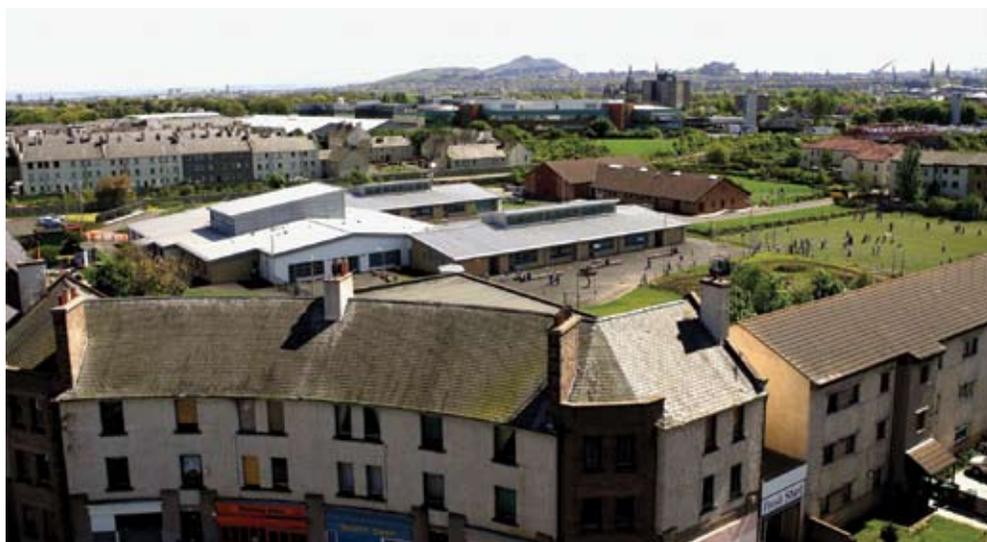
INSIDE LETTERING

Edinburgh's Link with Landlords

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Growth, quality and responsibility

a strategy for private renting in Edinburgh



The private rented market makes an enormous contribution to the continuing success of Edinburgh as a major European capital city. People coming to live and work in the city need somewhere to live after all.

High house prices and the scarcity of social housing means that private renting is the sensible choice for many people.

Recognising the importance of this market the Council recently published a consultation paper setting out a strategy for supporting the growth of a well managed, good quality private rented market in the city. The consultation paper has been sent to around 3,000 landlords and letting agents in the city.

Professionally, most landlords and letting agents are committed to improving standards and services to their customers. However there remains an element of the market where property conditions and management do need to improve – the Scottish House Condition Survey shows that some of the worst housing conditions remain in the private rented market.

The Council also needs to work with landlords and letting agents to meet

the challenges of increased regulation through licensing and registration as well as new statutory landlord responsibilities towards their tenants.

The Council has a number of important roles. It needs to ensure that the city is able to meet the housing needs of people who live and work here and intends to work with a range of partners, including private landlords, to meet that goal. The Council is also responsible for implementing many of the new regulatory requirements for private landlords.

The proposals set out in the consultation paper recognise the shared goal of supporting a strong, well managed, good quality private rented market in the city and the Council's commitment to working in partnership with private landlord and letting agents.

If you have not received a copy of the strategy, "Private Renting in Edinburgh" is available at www.edinburgh.gov.uk/privaterentingstrategy or you can phone Rupert Warren in Private Housing Services on 0131 529 7008.

The deadline for comments on the draft strategy is 7 October 2005.

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FEEDBACK

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Inside Letting is a quarterly publication produced by the City of Edinburgh Council for landlords and letting agents in Edinburgh

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Landlord Registration Update

In July the Scottish Executive published a consultation paper on its proposals for taking forward the regulation of private landlords under the Antisocial Behaviour etc. (Scotland) Act 2004.



From April 2006 private landlords will need to register with local authorities. Private landlords will have to be "fit and proper persons to rent property" and local authorities have a duty to publish and maintain a register of private landlords. Landlords will not be able to rent property legally if they have not registered with the local authority.

The consultation paper, "Regulation of Private Landlords" sets out the Scottish Executive's proposals for how registration will work in practice. It also sets out how new powers for local authorities to require landlords to tackle anti social behaviour will be implemented.

The Council has set up an internal working group to develop its response to the consultation paper and develop a plan for the implementation of the registration scheme.

Once the final guidance is published by the Scottish Executive we will be consulting with landlords and letting agents and other interested parties on the development of the registration scheme in Edinburgh.

The Council has also produced a short policy briefing that summarises the main elements of the legislation and Scottish Executive proposals for the registration scheme. This is available from www.edinburgh.gov.uk/letwise or you can contact Phil Rowsby on 0131 529 2256 for a copy.

A copy of the Scottish Executive consultation paper is available from www.scotland.gov.uk/consultations/current or you can phone Lucie Dunn at the Scottish Executive for a copy. The deadline for comments to the Scottish Executive is 23 September 2005.

Landlords benefit from healthy rental market

Happy days are ahead for some Edinburgh landlords as a shortage of new buy-to-let investors and a healthy rental market help push up rents across the capital, as Emma Fursman from Dunpark Property Management explains.

For the first time in five years we are seeing rents for some properties rise from 5 to 15 per cent a month. This can largely be attributed to two factors; inexperienced investors shying away from the buy-to-let market and increasing numbers of tenants competing for top end properties.

This means good news for those landlords with well presented property in desirable locations.

Increased rents can be achieved for many properties in central locations. Rent for a two bedroom flat in fashionable Bruntsfield has risen by 8% from £625 to £675 a month - while for a one bedroom flat in Hillside, rent has increased by 5% from £475 to £500 a month.

In the early 2000s, rents in Edinburgh remained fairly static as a result of a surplus of buy-to-let rental properties. Many first-time property investors bought into the market thanks to low interest rates and promising returns on their investment.

Rents remained low as many landlords accepted these as a trade-off against the expectation of future capital returns. In 2003 and 2004 especially, a wise investor could have



sold a property at an excellent profit.

However in 2004 the market began to feel the effect of interest rate rises. Suddenly the returns being achieved were less dramatic than the years before. Some landlords faced with static rental yields, higher running costs and little prospect of continued large capital increases, decided (or needed) to sell their properties.

Today, as unseasoned investors hesitate to buy and prefer to watch how the market will behave over the next months, more experienced investors are busy selecting top end buy-to-let properties at deflated prices.

Dunpark recently sourced a three bedroom buy-to-let flat in Bruntsfield for £186,000, saving £14,000 on the very similar property next door which sold last year for £200,000. With a modest amount of renovation investment

the owner will soon increase the rental yield from £900 to £1000 – a monthly profit increase of 11%.

Driving this continued investment by seasoned buy-to-let investors is the increasing demand for higher quality rental accommodation in Edinburgh.

Derek Hawson, sales manager of Lettingweb.com, agrees that greater numbers of young semi professional and professional people are choosing to rent first and buy later. Many are waiting to see what interest rates do while others want flexibility in their lives and prefer the freedom renting allows.

The message to budding landlords is less haste, more research. Time spent purchasing the perfect rental property, often using the expertise of a property company, can help reap rich rental pickings for the clever investor.



"... he that filches from me my good name robs me of that which not enriches him, and makes me poor indeed." 'Othello' William Shakespeare

Shakespeare's identity puzzled scholars for years, but rather than a case of mistaken identity, was it a case of identity theft?

Stealing someone's personal data was easy enough in the sixteenth century but it's almost as easy today.

Landlords have had their identity stolen, bank accounts raided and property sold. One recent high profile case involved the loss of £14,200 of furniture and narrowly averted the sale of a £500,000 house.

What can you do to protect yourself from becoming a victim of Identity Theft?

- ✓ Do not leave personal documents in a leased property. If you can't store them securely, solicitors or banks can for a fee.
- ✓ If the property was once your home, ensure you are removed from the Electoral Register. This is the first check made when applying for credit.
- ✓ Ensure post is redirected by the Royal Mail. Mail found in empty homes by fraudsters posing as potential tenants is a prime source of information.
- ✓ Check bank statements and credit cards carefully. Query anything that looks out of place.

- ✓ Be careful when disposing of old documents. Shred them to prevent "bin raiders" or "dustbin divers" from acquiring information about you or your identity.
- ✓ If you suspect anything odd, contact the relevant body immediately. There is next to no data-sharing by banks, government agencies or credit providers.
- ✓ Make regular checks on your credit score. This will alert you to anyone creating credit agreements in your name.
- ✓ Do not give out personal details. This may sound obvious, but BBC London employed a team of market researchers, with no proof of ID, to ask people for personal details including name, address, date of birth and telephone number. Most gave this information freely.
- ✓ Limit the amount of unwanted mail you receive by using the Mailing Preference Service.

www.identityfraud.org.uk

Home Office Identity Fraud Steering Committee

www.cifas.org.uk

The UK's Fraud Prevention Service

www.callcredit.co.uk

Credit Reference Agency

www.equifax.co.uk

Credit Reference Agency

www.experian.co.uk

Credit Reference Agency

www.royalmail.com

Royal Mail

www.passport.gov.uk

UK Passport Service

www.dvla.gov.uk

Driver and Vehicle Licensing Agency

www.mpsonline.org.uk

The Mailing Preference Service

PRIVATE RENTING PROFILE

EDINBURGH COMMUNITY MEDIATION SERVICE

From mid September Edinburgh Community Mediation Service will have a new address
21 Abercrombie Place Edinburgh EH3 6QE Tel 0131 557 2101

Edinburgh's Mediation service began 10 years ago and has helped thousands of neighbours who experience conflict. The service helps clients from across Edinburgh, regardless of whether they own or rent their homes. Disputes may involve noise issues, children playing, antisocial behaviour, boundaries, parking, animals, use of drying greens, DIY....



Christine Schoeck • Service Team Leader
Edinburgh Community Mediation Service

Two mediators firstly visit each home and then arrange a meeting in a neutral venue such as a library or community centre close to the homes. Mediators facilitate meetings in an impartial way, never taking sides. Meetings can often be difficult due to previous conflict between the parties, and people's anger or anxiety about meeting with their neighbours.

Mediation can take place between two households or even involve a whole street – usually where there are issues involving children or young people.

Landlords can be involved in the mediation process involving complaints by neighbours about tenants. Landlords can contact the Mediation service if there are neighbour complaints relating to an HMO licence application. Landlords should contact the service directly, where they can discuss with a mediator any issues of conflict with or between tenants and neighbours.

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For free and confidential advice contact Edinburgh Community Mediation Service
tel. 0131 557 2101
www.sacro.org.uk

Anyone affected by or wanting help with antisocial behaviour in Edinburgh can contact the Council's Antisocial Behaviour Investigation Team on 0131 529 7050.

If you're concerned about domestic noise nuisance in Edinburgh contact the Noise Team on 0131 311 3131. For commercial or entertainment noise complaints contact 0131 529 3030.

PRIVATE SECTOR LEASING SCHEME

The City of Edinburgh Council is launching a new partnership with private landlords in the city to provide up to 1500 homes to beat the city's homeless crisis. The Private Sector Leasing (PSL) Scheme offers long term contracts to private landlords. These properties are then let by the Council to people in housing need. The scheme, the first of its kind in Scotland, will offer landlords a guaranteed rent for the length of the contract.

The Council will be working in partnership with property group Orchard and Shipman plc who will manage the scheme on the Council's behalf. Orchard and Shipman have successfully managed similar PSL schemes in London.

Information evenings about Private Sector Leasing were held in July and these events attracted over 350 landlords. If you would like more information about the scheme, please contact Orchard and Shipman on 0131 555 7781
www.orchard-shipman.co.uk



Housing Bill

Questions and Answers

with Malcolm Chisholm Minister for Communities



In a first for Inside Letting we obtain an exclusive interview with Malcolm Chisholm MSP on the forthcoming Housing Bill.

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Q. The main provisions of the Housing Bill 2005 are measures to improve the condition and quality of private housing, the registration of private sector landlords and the house purchasers information pack. Why are these so important?

A. Housing in Scotland has shifted dramatically in the last 30 years, with over 70% of housing in private ownership. This means that we have to look at new ways to address house condition and quality. The Scottish House Condition Survey estimates around £5 billion worth of work is needed to address urgent disrepair - this cannot be ignored.

The Bill gives local authorities additional powers to address badly maintained or poor quality housing. The Single Survey will allow for better information on the condition of property to be factored into the house buying and selling process. Registration of private sector landlords is being introduced separately under the Antisocial Behaviour etc. (Scotland) Act 2004, but the Housing Bill includes enhancements to the legislation to make registration more effective.

Q. Some Landlords are concerned that the Housing Bill puts additional burdens and expense on a sector that provides a valuable service for thousands of people. Can you address the fear that the bill will force many landlords from the sector?

A. We have not seen any compelling evidence that there will be withdrawals from the sector as a result of the Bill. This was also the view reached by the Communities Committee in their Stage One report on the Bill.

Q. Landlord registration deals with the person, not the physical standard of the property. Why were property standards not included in the landlord registration scheme?

A. Much of the thinking behind landlord registration is about ensuring that landlords have to be visible and that they operate to acceptable standards. Our approach to registration achieves this while operating a light-touch system and minimising any risk of affecting supply. At the same time it provides local authorities with a powerful tool for dealing with the worst landlords. The detailed standards for HMOs are a response to particular issues in that type of let. The Housing Bill does, however, enhance the Repairing Standard that will apply to private lets. This, along with the referral to the Private Rented Housing Panel, should impact on the physical condition of lets.

Q. How would you hope to see the Repairing Standard being enforced?

A. Well firstly I hope that landlords adhere to the Standard – registration will make it clear to all landlords that this obligation exists and their registration could be threatened if they breach it. Landlord representative bodies have been broadly supportive of the revised Repairing Standard and the enforcement mechanism. There will be a campaign to inform tenants of their rights and landlords of their duties and possible penalties. Finally, I hope local authorities play their part in carrying out work as requested by the Panel.

Q. Why not introduce a national rent deposit scheme? This would settle many disputes before they arise.

A. The Bill is largely concerned with the condition and quality of housing and so rent deposits did not feature in the preparation of the Bill. I have therefore asked my officials to examine models so that this issue can be dealt with.

TOP TEN DEALING WITH DISPUTES



LANDLORD SURVEY

1. **IDENTIFY THE ISSUES.** Write down a short history of what has happened. Be honest, and include any mistakes you have made along the way.

2. **KNOW WHAT YOU WANT TO ACHIEVE.** Be realistic, do you want an apology, compensation, a tenant to leave or peace and quiet?

3. **WHO'S INVOLVED?** Identify all those involved in the dispute and their rights and responsibilities.

4. **DON'T GET MAD.** Letting emotions cloud your judgement could prolong the argument and the expense.

5. **COMMUNICATE.** Disputes often result from a misunderstanding or an incorrect assumption. Problems can often be avoided by simply talking calmly. Firing off e-mails into cyberspace is perhaps not the best way to ask someone to turn down their TV.

6. **COMPROMISE.** Be prepared to concede where necessary. Points of principle are fine but they can cost both financially and emotionally.

7. **PSYCHOLOGY.** Solving a dispute isn't about satisfaction; it's about getting the best result for everyone. Consider the win – win principle, not I win you lose.

8. **GET ADVICE.** Seeking independent impartial advice can help put things in perspective. Solicitors aren't just for legal action they can be sounding boards or negotiators. Independent advice can come from a number of sources such as the Citizens Advice Bureau or the Local Authority.

9. **KEEP IT LEGAL!** It is illegal to harass anyone. Be careful about your behaviour and actions, or you may find you are on the receiving end of an expensive court action.

10. **WHAT'S MY ALTERNATIVE?** You may be able to handle things yourself but consider using other methods of dispute resolution such as mediation (see page 5), arbitration, ombudsmen or regulators.

letwise
letting and relocation specialists in Edinburgh



A survey was sent to around 2,400 landlords and letting agents in June 2005. The purpose of the survey was to gain information on a range of areas in order to improve our services.

All returned surveys were entered into a prize draw for the chance to win one of four £25 retail shopping vouchers. The closing date for the draw was 8 July 2005. The total number of surveys returned was 162 (almost 7%).

The draw was held at the Finding a Tenant course on 25 July 2005. John Blackwood from the Scottish Association of Landlords picked out the following winners.

Congratulations to them all:

Mrs Linda Aslet
Dr Andrew Kelso
Mr Laird Dinsmore
Mr Scott Mitchell

Overall, the majority of landlords are happy with the service provided by letwise. Over the coming months, the results of the survey will be considered and any changes to our services arising from the feedback will be put into place as soon as possible.

We have made two immediate changes to our service as a result of feedback from the survey. The first is the inclusion of a new course on managing common repairs. Secondly, look out for the new training course programme due out in October, which will have an expanded range of event times.

The full results of the survey will be posted on our website in due course.

www.edinburgh.gov.uk/letwise

HELP! *

In this new section we get the experts to answer any questions or concerns you may have:

Dear Inside Letting

A friend recently told me there are various forms I need to give to tenants to create a short assured tenancy. Can you tell me what these are and where I can get copies?

Dear Landlord

To create a short assured tenancy, there are two notices you should give to your prospective tenant before the lease is signed.

Firstly a form known as an AT5. This is a form prescribed in law and must be given to the tenant before the lease is signed otherwise the tenancy becomes an assured tenancy (not short assured). It can be

difficult to recover possession of an assured tenancy if the tenants do not leave when requested to do so. Creating a short assured tenancy guarantees recovery of possession should you need to go to court – provided the tenancy has been set up and ended properly. The second notice you should give to tenants before signing a lease (assured or short assured) is a notice intimating any of grounds 1-5 in the Housing (Scotland) Act 1988 which you may potentially use to recover possession if necessary. Copies of the forms and notices needed to set up and end a tenancy, along with a model lease and guidance

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote ref. 04436. ITS can also give information on community language translations.

『房屋出租內幕季刊』是愛丁堡市議會出版的季度雜誌，供私人房東及其他對愛丁堡私人房屋出租市場有興趣的人士參閱。欲得到本季刊的中文翻譯資訊，請電 0131 242 8181 向愛丁堡市議會傳譯及翻譯服務部 (ITS) 查詢；並說明參考編號 04436。

این سائیلٹنگ Inside Letting، یہ دی سٹی آف ایڈنبرا کونسل کا سہ ماہی رسالہ فی مکانات کے مالکان اور دیگر افراد کیلئے ہے جو کہ ایڈنبرا میں فی مکانات کو کرائے پر دینے میں دلچسپی رکھتے ہیں۔ اپنی کیونٹی میں بولی جانے والی زبان میں اس رسالے کے ترسے کے متعلق معلومات کیلئے براہ مہربانی ایئر پریس ایڈز ٹرا سٹیلین سروس ITS کو 0131 242 8181 پر ٹیلیفون کریں اور ریفرنس نمبر 04436 کا حوالہ دیں۔

‘ہینسائیڈ پوٹنٹ’ হল پرائیویٹ باسাবاؤکی ڈاڈا کرবার ব্যাপারে যারা আহুদী তাদের জন্য ‘সিটি অফ এডিনবরা কাউন্সিলের’ ট্রেমাসিক পত্রিকা। এই পত্রিকার অনুবাদ আপনার সম্প্রদায়ের ভাষায় পাওয়ার ব্যাপারে তথ্য পেতে হলে ইন্টারপ্রেশিয়ান এ্যান্ড ট্রান্সলেশ্যন সার্ভিস -এর সাথে 0131 242 8181 নম্বরে যোগ করে রেফারেন্স নম্বর 04436 উল্লেখ করবেন।

الإيجار الداخلي في مجلة مجلس بلدية إدنبرة الربع سنوية للمؤجرين للمنازل الخاصة وللآخرين الذين لهم إهتمام بسوق إيجارات المنازل الخاصة في مدينة إدنبرة. إذا كنتم ترغبون في معلومات عن ترجمة هذا المستند الى لغة جاليتكم نرجو الإصصال هاتفيا بمكتب الترجمة (ITS) على الرقم 0131 242 8181 و ذكر رقم الإشارة 04436.

notes are available free of charge at www.edinburgh.gov.uk/letwise. If you are in any doubt about how to use these forms you can contact the letwise team on 0131 529 7454, the Private Rented Sector Team on 0131 529 7247 or seek professional legal advice. Letwise also run training courses on tenancy agreements and recovery of possession. Visit the letwise website or phone for details.

FEEDBACK / LETTERS

If you have any thoughts / comments on the magazine, would like to suggest / contribute an article, or would like to have a question answered on the help page, please contact:

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