

Title of Report:	POTENTIAL TRANSFER OF LANDLORD REGISTRATION FUNCTION TO COUNCILS
Committee Report Submitted To:	ENVIRONMENTAL SERVICES COMMITTEE
Date of Meeting:	8th September 2020
For Decision or For Information	FOR INFORMATION

Linkage to Council Strategy (2019-23)	
Strategic Theme	Leader and Champion
Outcome	Suggest improvements to current legislation
Lead Officer	Head of Health & Built Environment

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	YES/NO
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

1.1 The purpose of this report is to advise members of the consideration of the Department for Communities (DfC) to potentially transfer the Landlord Registration function under the Private Tenancies (Northern Ireland) Order 2006 to Councils. The following comments below have been provided by EHNI for members information.

2.0 Background

2.1 Representatives from EHNI and SOLACE met with the Department for Communities (DfC) officers on 12th March 2020 at Lough Neagh Discovery Centre, to discuss the potential transfer of the Landlord Registration Scheme from DfC to Councils.

2.2 DfC have now appointed consultants (ASM Chartered Accountants) to assess potential delivery model options and costs of the transfer of the Landlord Registration Scheme to Councils. The consultants are contacting each Council to discuss options around the transfer of Landlord Registration function.

2.3 It is expected that should DfC wish to progress the proposed transfer a full consultation will follow.

3.0 Comments

3.1 EHNI members would like to highlight the following comments in relation to the proposed transfer:

3.2 Councils are currently facing increasing pressures with limited resources to deal with the impact of delivering services under the current Covid restrictions as well as responding to the requirement to enforce new powers under The Health Protection (Coronavirus Restrictions) Regulations. The feasibility and timing of any proposed transfer of this function must be at the forefront of any deliberations with the appointed consultants.

3.3 During the initial meeting (on 12th March) Councils indicated the collective view that the current registration system provides an administrative landlord database but that it has limited scope to improve the overall standards of private rented sector accommodation, should the transfer to Councils to proceed in the current configuration.

3.4 Any transfer of the scheme must ensure that the outcomes for overall regulatory services are improved by allowing Council officers to access the database to deal with wider issues. Currently, Councils cannot use the information held on the database for other issues such as noise, anti-social behaviour, animal welfare, Clean Neighbourhoods enforcement or Building Control enforcement.

- 3.5 Any changes to the Landlord Registration Scheme needs to be underpinned by a change in the Fitness Standard, otherwise the standard of properties in the privately rented sector will not improve. The current statutory fitness standard is nearly 40 years old, is not fit for purpose and must be reviewed as part of this process. Furthermore, standards will not improve unless landlords undergo a regulatory inspection or make a declaration of fitness at the point of registration. Any such scheme linked to the registration will need to be sufficiently funded so that there is no additional costs to Councils arising from its implementation and administration.
- 3.6 Any new proposed model (be it one regional model, 11 Council model or cluster model) must be delivered in a consistent way and have clear and simplified presence to the public and to landlords. The HMO function has a separate brand and provides visibility and distinction to agents, landlords and tenants. Councils are concerned that moving away from a single regional model will become an administrative burden for landlords and may result in a more fragmented system for Councils to administer bearing in mind that there are multiple landlords with multiple tenancies in different Council areas.
- 3.7 EHNI members are supportive of the need to introduce measures that will ultimately improve that overall standard of private rented housing stock, however, the transfer of the function in its current format will result in the transfer of an administrative function which will not afford any scope for intervention to improve the housing stock and therefore affords no appreciable benefits to Council.

4.0 Recommendation

It is recommended that committee notes the comments above.