

QUESTION FROM A MEMBER OF PUBLIC

UNDER STANDING ORDER NO.19

SCRUTINY COMMITTEE - COMMUNITY – 7 JUNE 2011

QUESTION FROM MS BERYL JAMES

How does the Housing Office satisfy the need to maintain a sufficient supply of rented accommodation from the private sector given its cavalier and unfair attitude towards landlords which adversely impacts on the Council's finances ?

This evidenced by

- Failure to negotiate with the landlord when the tenant applies to the Housing Office
- Partial advice given to tenants to remain in properties beyond the notice period given under Section 21 of the 1988 Housing Act, even where there are serious arrears, with the direct result that the landlord must pay the £175 court fee for a repossession order
- The further £110 cost to the landlord of a bailiff to carry out eviction
- The loss of housing stock withdrawn by disillusioned landlords placed in severe financial difficulty
- The resulting inability of the tenant to obtain references for future private housing and thus becoming a long term financial burden on the Council Tax payers
- The loss of revenue from Council Tax arrears on the property
- The cost of paying Housing Benefit to the tenant

RESPONSE

In responding to this question I can only answer in general terms on the Council's policy and can not respond to any specific cases or incidents.

- *We would always try to advise the landlord of the contact with their tenant where appropriate. This might be as a courtesy or to enable the landlord to speak to the tenant*
- *The advice given to a tenant who exercises their legal right to remain in a property beyond the notice period would also include that they continue to abide by the terms and conditions of the tenancy agreement. We would expect the tenant to continue to pay their rent whilst their housing situation is resolved. The matter of the collection of rent is matter for the landlord and the tenant and the Council is not involved.*
- *When applying to the court for a possession order a landlord can apply to seek costs such as this that they have incurred.*
- *It is not our intention to disillusion private landlords but the advice given is in accordance with housing law and we would be remiss if we did not give tenants full and proper advice.*
- *As stated previously we would expect a tenant to continue to pay their rent and comply with all other terms and conditions of their tenancy.*
- *Council Tax arrears on the property would be liable and pursued in the normal manner.*
- *Housing Benefit is entitlement based and therefore paid to those who need it.*

