

Public Health and Housing COVID-19 – Advice for landlords and letting agents

Public Health and Housing are reaching out to as many landlords and managing agents as possible during the current situation to clarify our expectations and approach to enforcing safety standards within the private rented sector during the current pandemic.

We encourage you to take some time to read through the guidance document below which explains the Government's expectation in terms of maintaining safe housing conditions at the present time. Essentially, all legally required safety checks should continue in accordance with the safety measures outlined in this guidance document:

<https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities>

More specific information has been produced in relation to gas safety which can be found here:

<https://www.gassaferegister.co.uk/help-and-advice/covid-19-advice-and-guidance/landlords/>

Our team continue to respond to concerns from tenants regarding their accommodation. If any concerns are reported to us, we will encourage the tenant to contact you in the first instance, however, if they feel unable to do this, we may contact you on their behalf.

1. Houses in multiple occupation (HMOs)

Repair obligations, HMO licensing and inspection.

Landlords of HMOs are still required to meet their obligations regarding the Management of Houses in Multiple Occupation (England) 2006. During this time, we are deferring all routine HMO inspections which are listed on our routine inspection programme until the end of the current lockdown. If your property is due an inspection, you will still be contacted by an officer and will be requested to provide your up to date/valid safety certificates. You should also ensure that you are compliant with the HMO Management Regulations.

If you have been issued a schedule of works to bring a new HMO up to standard, you should continue to ensure the works are completed. An inspection will be arranged in the future to check compliance with the schedule.

We are still accepting new HMO Licence applications and renewals; we can process these subjects to the application being valid. Inspections will however be deferred until such time as the current lockdown ends.

If you hold an HMO licence with West Suffolk Council you must continue to comply with your HMO licence conditions.

Please see below the link to our HMO pages on our website which contains all the information you require on HMOs and HMO licensing.

<https://www.westsuffolk.gov.uk/housing/hmos.cfm>

Please remember a property is an HMO if it is occupied by **three** or more unrelated tenants who occupy the property as their only or main residence. The tenants must share at least one of the main facilities, such as a kitchen or bathroom in the house and rent must be payable by at least one person; or where accommodation is offered as part of an employment contract.

An HMO which is occupied by **five or more persons** requires an HMO licence and an HMO which is occupied by **more than six persons** requires an HMO licence and planning consent for change of use.

What to do if a tenant has symptoms of coronavirus COVID-19

If a tenant has symptoms of coronavirus, then all household members must stay at home and not leave the house in accordance with the government advice on self-isolation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/877678/coronavirus-leaflet.pdf

People who have to self-isolate are being encouraged to work from home but you should be aware that for many occupiers engaged in manual labour this will not be possible and depending on their contractual arrangements they may also be at risk of losing income during this period which will affect their ability to pay rent. Because of this you need to be aware that the government have brought in emergency legislation to prevent private tenants from being evicted if they are unable to pay rent, and landlords will not be able to commence eviction proceedings for three months. I am sure that the council do not need to remind landlords that eviction by any other means, other than through a court order, is not lawful. The council will not hesitate to prosecute landlords who attempt to evict or harass tenants illegally.

If you are renting to any vulnerable individuals (such as the elderly and those with underlying health conditions) they should be moved temporarily to stay with friends or family for the duration of the home isolation period. For vulnerable individuals that do not have anywhere else to go whilst they self-isolate, the local authority may be able to assist with temporary accommodation for these individuals only. Please contact 01284 757178 – Housing Options and Homelessness.

If your tenants must self-isolate, this will obviously be a difficult and stressful time so you should encourage them to plan ahead to help make it easier, this should include:

- considering what they are going to need in order to be able to stay at home during the isolation period
- talking to their employer, friends and family to ask for their help to access what they will need to make their stay at home a success

- think about and plan how to get access to food and other supplies such as medications required during this period
- create a contact list with phone numbers of neighbours, schools, employer, chemist, NHS 111
- set up online shopping accounts if possible
- ask friends or family to drop off anything needed or order supplies online, but make sure these are left outside the home for them to collect
- make sure that they keep in touch with friends and family over the phone or through social media
- think about things they can do during their time at home. People who have successfully completed a period of staying at home have kept themselves busy with activities such as cooking, reading, online learning and watching films
- many people find it helpful to plan for self-isolation, such as on a make-shift calendar. This could be useful for tenants to create cleaning or cooking rotas (see below section on use of shared spaces). Occupiers should be encouraged to plan in advance what they will do if, for example, someone in the household were to feel much worse, such as having difficulties breathing.

Please ensure that tenant information is updated to advise them that if anyone needs clinical advice, they should go online to NHS 111 (or call 111 if they don't have internet access). In an emergency, call 999 if they are seriously ill or injured or their life is at risk. Advise them that they must not visit the GP, pharmacy, urgent care centre or a hospital.

You may wish to consider the use of shared spaces within an HMO, when individuals are required to stay in their room. If someone is unwell, they should minimise visiting shared spaces such as kitchens, bathrooms and sitting areas as much as possible, and keep shared spaces well ventilated. They should aim to keep two metres from other people and not share a bed with another person. If toilet or bathroom facilities are shared, they should use a separate bathroom if possible. The bathroom should be cleaned and disinfected using regular cleaning products before being used by anyone else. If a separate bathroom is not available, consideration should be given to drawing up a rota for washing or bathing, with the person who is unwell using the facilities last, before thoroughly cleaning the bathroom themselves (if they are able or it is appropriate). A person who is unwell should use separate body and hand towels from other people. They should avoid using shared kitchens whilst others are present. They should take their meals back to their room to eat and use a dishwasher (if available) to clean and dry crockery and cutlery.

2. Changes in legislation

From the 1 April 2020 **The Minimum Energy Efficiency Standard of Energy Performance Certificates (EPCs)** extended to all tenancies. Unless you are able to meet the requirement of an exemption all properties within the private rented sector should hold an EPC rating of at least an 'E'. Public Health and Housing will be enforcing this legislation and further information will be provided in the coming

weeks. Please keep an eye on our webpages for further information. Guidance on the Regulations can be found here:

<https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

Landlords should also begin to familiarise themselves with the **The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020**. From 1 July 2020, all new private tenancies in England will need to ensure that electrical installations are inspected and tested by a qualified person prior to the start of a new tenancy. The landlord will then be required to ensure that the installation is inspected and tested at least every five years, and more regularly if the most recent safety report requires it. This will extend to all existing tenancies from the 1 April 2021. The full regulations can be found at:

<https://www.legislation.gov.uk/ukdsi/2020/9780111191934>

Further information will be available on our website soon. Our main webpage for housing standards can be found here:

<https://www.westsuffolk.gov.uk/housing/housingstandards.cfm>

Finally, it is the council's approach to continue to work with landlords in the private rented sector to ensure compliance with relevant legislation. In the event of continuous breaches of legislation, to obtain compliance, we are required to take the relevant enforcement action to ensure tenants are not placed at risk.

If you have any questions, please contact:

Public Health and Housing

Phone: 01284 757053

Email: customer.services@westsuffolk.gov.uk