If you are thinking about renting or letting a property...

Read this First!

A FREE Guide to Renting Private Property

Important advice for tenants and lodgers on finding the right accommodation and for landlords on how to provide it.

2012 EDITION
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### Disclaimer

The information contained in this guide is for general guidance. The application and impact of laws can vary widely based on the specific facts involved and you are advised to seek further specialist advice if you are at all uncertain as to their application in relation to your business. Given the changing nature of laws, rules and regulations, and the inherent hazards of electronic communication, there may be delays, omissions or inaccuracies in the information contained in this guide.

While we have made every attempt to ensure that the information contained in this guide has been obtained from reliable sources, The Homestamp Consortium is not responsible for any errors or omissions, or for the results obtained from the use of this information.

All information in this guide is provided “as is”, with no guarantee of completeness, accuracy, timeliness or of the results which will be obtained from the use of this information.

Under no circumstances will the Homestamp Consortium, its related partnerships or partners, agents or employees thereof be liable to you or anyone else for any decision made or action taken in reliance on the information in this guide or for any consequential, special or similar damages, even if advised of the possibility of such damages.

Information contained in this document is correct at the time of going to publication.
Welcome to this really useful guide for renting a private property

This is a joint partnership project between the members of the Homestamp Consortium.

Homestamp is a partnership consortium with a direct interest in private sector housing, comprising of Local Authorities, the private rented sector, Universities, Police and Fire Services. As an organisation we have several aims:
• To encourage the supply of good quality private rented homes.
• To provide and facilitate information and training for landlords.
• To consider and respond to regional and national issues affecting the private rented sector.
• To encourage joint working between all interested parties.

Partners signed up to the Homestamp Consortium are listed on page 59.

Organisations continue to join us, so look on our website www.homestamp.com for the latest list of partners.

The Homestamp Consortium website contains a range of information and guidance for both Landlords and tenants including the latest changes in legislation affecting the Private Rented Sector.

Homestamp also manages the Midland Landlord Accreditation Scheme (MLAS) which seeks to accredit good and reputable Landlords from across the Midlands.

Further information can be found on the MLAS website: www.mlas.org.uk

For tenants, renting any property can be a big commitment and it’s important to have some good basic pointers at your disposal before you start. This guide has been colour coded for easy reference and look out for contact information at the end of the guide if you need more information.

If you have any comments or would like to contact Homestamp about this guide information is available on page 59.
Using this Guide

To get the most out of this guide when you’re thinking about renting, make sure you read all the information and use the accompanying “Important Checklists”.

This way you can keep a record of properties you have looked at and use the checklists in helping you reach a decision. Information in this booklet is colour coded - it’s packed full of advice and guidance about renting properties in general and can be used as a good reference any time you need it.

This guide and important checklists is available in hard copy and can be downloaded FREE from www.homestamp.com

Useful links

The advice contained in this guide and information and links to third parties is available via various websites.

If you don’t have access to a computer at home visit your local library. It is free to join and access to the internet is free.

While links and references have been checked there may be circumstances where content is moved on a specific website - if you can’t find that information try searching the recommended website.

Some information is available directly at www.homestamp.com/downloads and this is indicated in this guide.

GOV.UK

From 17th October 2012 GOV.UK replaces DirectGov and Business Link websites as the best place to find government information and services.

This site will provide clearer, simpler, faster information and uses a search facility to find information quickly. Simply go to www.gov.uk and search for the information you require.

By 2014 all government departments and agencies will be located at GOV.UK as part of its ‘Inside Government’ service.
Housing Advice

Definitions

The following terms are often used when looking for accommodation, they are there to help you, but you are advised to contact your local council for further information.

House in Multiple Occupation (HMO):
This is the official way of describing a house divided into bedsits or flats, or a house occupied by a group of unrelated persons, usually where something is shared with the other occupants of the building. This sharing can be one or more of the following: bathroom, toilet, kitchen, entrance hall and/or stairs. Because of this sharing, higher levels of safety and fire protection are needed. In general terms, if the house/flat is occupied by more than two unrelated people it may be in ‘Multiple Occupation.’

Not all shared properties are HMOs; each house is classified according to its own merits.

Owner:
The person(s) who has the ability to sell the property or raise money on the property by way of mortgage or bank loan.

Landlord:
The person(s) who allows someone to live in the property.

Agent:
The person who manages, controls or acts as a go-between on behalf of either, the landlord or owner in the general day-to-day running of the property. The agent may or may not be a separate company and currently does not have to be a member of any professional body.

Tenant:
The person(s) who signs the contract and who is responsible for paying the rent and living in the property. The creation of a tenancy gives the tenant(s) EXCLUSIVE USE OF THE PROPERTY which means that the landlord or owner no longer has the right to enter the house or flat without the tenant’s permission, as it is now the tenant’s HOME.

The type of protection a tenant has under the law, depends on the type of tenancy created when the contract is signed.
The Housing Health and Safety Rating System

The Housing Act 2004 introduced a way in which local authorities (councils) assess housing conditions in England and Wales. It uses a risk assessment approach called the Housing Health and Safety Rating System (HHSRS); the aim is to provide a system (not a standard) to enable the risk from hazards to your health and safety in dwellings to be removed or minimised.

The system requires a local authority to make an assessment of risk under 29 possible hazards summarised under the following categories:

- dampness, excess cold or heat
- pollutants e.g. asbestos, carbon monoxide, lead
- lack of space, security or lighting, or excessive noise
- poor hygiene, sanitation, water supply
- collisions, explosions, structural collapse
- accidents e.g. falls, electric shocks, fires, burns, scalds.

Councils have a duty under the Act to take action of some kind if they discover a very serious hazard in a property. Therefore landlords should seek to remove or minimise risk.

The full guidance document “Housing Health and Safety Rating System: Guidance for Landlords and Property Related Professionals” produced by the Department of Communities and Local Government is available to view at [www.homestamp.com/downloads](http://www.homestamp.com/downloads)

What to look for when finding suitable accommodation

- Decide on the area in which you wish to live
- decide what type of property you want to live in
- can you afford the rent?
- view as many properties as you can
- visit the area that the property is in at different times of the day/evening and in the dark and at weekends as well as weekdays
- take someone with you if possible
- ask to see a current Gas Safety Certificate and an Energy Performance Certificate
- if a deposit is required ask how the deposit will be protected under the terms of the Housing Act 2004
- ask if the landlord is a member of an accreditation scheme
- check the property is in good repair
- is the property in an area known to flood and has it flooded in the past five years?
- do not be rushed into signing an agreement and ask to take it away so that you may seek advice.

A full checklist is available to accompany this guide.
Bedsits/shared houses

Some of the lowest cost housing in the UK is in Houses in Multiple Occupation (HMOs) usually called bedsits/shared houses.

These houses are often converted from single-family homes. Although you may have your own bedroom, you may expect to share one or more of the following:
- common entrance into the building
- kitchen facilities e.g. cooker, fridge, etc.
- washing facilities e.g. toilet, bath/shower
- living room/lounge.

Landlords of this type of property have greater management responsibilities. These include:
- making sure common areas are kept clean
- testing fire/smoke alarms regularly
- maintaining fire escape routes
- maintaining yards and gardens
- providing enough bins for refuse collection.

Bedsits/shared houses may have a higher fire risk than other homes because:
- other occupants of the house may not alert you if there is a fire
- there are more people using cookers
- you may ignore strange noises and smells which may be a fire starting.

Due to the potential higher risk of fire they may have the following:
- fire blankets in all kitchens
- fire doors on all rooms except bathrooms
- doors that open from the inside without a key.


Licensing of Houses in Multiple Occupation

Compulsory licensing for HMOs aims to raise standards of accommodation in the private sector.

Landlords letting the largest HMOs i.e. those of three or more storeys with five or more people in two or more households (unrelated people) living in them and sharing facilities such as kitchens and bathrooms, MUST by law apply for a licence.

Please refer to the booklet Licensing Guide for Landlords for further information. This booklet is available to download freely on the Homestamp website www.homestamp.com or via your local council.

Your local council will be happy to advise you about licensing, bedsits/shared houses, whether you are a landlord, agent or tenant.
Landlord’s Rights

Every landlord or agent has the right to:

• charge a market rent (on lettings since January 1989)
• fix terms of the agreement before the tenancy begins
• receive the rent when it is due
• be given proper notice by the tenant if they wish to leave
• make a written request, giving 24 hours notice to carry out repairs to the property.

Tenant’s Rights

Every tenant has the right to:

• know and understand the terms of the tenancy
• have exclusive use of the property if they have an Assured Shorthold Tenancy (AST)
• have a signed copy of the tenancy agreement (if there is one)
• have a rent book (if rent is paid weekly)
• know the names and addresses to which legal notices can be served on the landlord(s)
• have a property that would pass an HHSRS inspection
• have ‘quiet enjoyment’ while living in the property
• have a minimum of 24 hours written notice if the landlord or agent wishes to enter the property for any reason
• have the correct period of notice, served on the correct legal form (S21 or S8) if the landlord or agent wants the tenant to leave. This notice can only be enforced by a court appointed bailiff
• be told which Tenancy Deposit Protection Scheme their deposit has been placed in (see page 13)
• see an Energy Performance Certificate (EPC) (see page 11) and a current Gas Safety Certificate.

Tenant’s Responsibilities

Council Tax
The tenant will normally be responsible for paying Council Tax, however, if the property is a HMO the landlord may be responsible for paying it, although it can be included in the rent. If there is any doubt as to who will be liable to pay the Council Tax contact the local council. To avoid any confusion, it should be agreed who is responsible before moving in.

Gas, electricity, water and sewerage charges
The tenant will normally be responsible for paying utility charges. The tenancy agreement should set out who is responsible for charges. If the landlord pays the charges they can be recovered from the tenant.
The tenant has a duty to:

• take care of the property and use it in a responsible way
• pay the rent as agreed
• keep to the terms of the tenancy agreement (unless the terms are in contravention of their basic rights in law)
• make sure that any electrical or gas appliances brought into the property are safe.

The Landlord’s Responsibilities

Repairs (generally)

Unless the tenancy has a fixed term of more than seven years, the landlord is responsible for repairs:

• to the structure and exterior of the property
• to baths, sinks, basins and other sanitary installations
• to heating and hot water installations including gas and electric supply pipes and cabling
• if the property is a flat or maisonette, the landlord is responsible for other parts of the building or installations in it which he/she owns or controls and disrepair which would affect the tenant.

Responsibility for other repairs depends on what the landlord agrees with the tenant.

The landlord is not responsible for the cost of repairing damage caused by the tenant. The landlord can include a sum to cover the cost of repairs within the rent, but cannot pass the costs on to the tenant in the form of a separate service charge.

Safety of gas and electrical appliances

• The landlord is required by law to ensure that any gas supply from the meter and all gas appliances supplied as part of the agreement, are maintained in good order
• an annual safety check must be carried out by a registered Gas Safe Register gas engineer
• landlords must keep a record of the gas safety checks for two years; and issue a copy to the existing tenant within 28 days of receiving the safety check certificate. New tenants should be given a copy at the beginning of the tenancy
• the landlord should ensure that the electrical system is safe and suitable for purpose and that any appliances supplied are portable appliance tested (PAT) after the manufacturer’s guarantee has expired.
Smoking in Public Places

On 1st July 2007 smoking was banned in public places. This applies to common parts in HMOs i.e. kitchens, dining rooms, lounge, bathrooms, hallways etc. Individuals private bedrooms however, are exempt.

For a definition of a HMO see page 5 of this guide.

The landlord can be held liable for permitting smoking in the common areas of the HMO unless he can show he has taken reasonable steps to stop a tenant smoking, i.e. proper signage in the common areas or possibly an outdoor smoking area.

Squatting

Squatting became a criminal offence on the 1st September 2012.

Landlords may think that the change in this legislation help landlords to remove tenants who do not pay their rent, however it will not.

Section 144 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 creates a new offence of squatting in a residential building, which will apply throughout England and Wales.

The offence is set out in full in Annex A.

The offence has been introduced following public concern about the harm that trespassers can cause. The offence will protect owners and lawful occupiers of any type of residential building. This includes homeowners and tenants who might have been excluded from their homes by trespassers. It will also protect landlords, second homeowners and local authorities who discover trespassers living in a residential building that they own or control even if no one was living there at the time the trespassers occupied the building.

The Ministry of Justice guidance - “Circular 2012/04 Offence of Squatting in a Residential Building” is available to download from www.homestamp.com/downloads

For further information go to www.gov.uk and search for “Squatting”. 
Energy Efficiency

Energy Performance Certificates (EPC)

An EPC gives information on the energy efficiency and environmental impact of a property, and is a legal requirement for all private-rented sector homes.

From 6 April 2012 landlords and letting agents, have just seven days to produce an EPC after they’ve started marketing the property for new tenants, rather than the previous 28 day period. A full report must be provided to prospective tenants, rather than just the graph showing energy efficiency.

From 22 April 2012 all Energy Performance Certificates are to be lodged on the national Energy Performance Certificate register and will be publicly available.

This means that individuals can look up an Energy Performance Certificate online via the register allowing them to compare the energy performance of their property with that of similar buildings. This service will be available free of charge.

If you do not want your Energy Performance Certificate made publicly available on line then you can opt-out at https://www.epcregister.com/opt-out

An EPC is only required for a property which is self-contained. It is not required when a tenant rents a room in a house where facilities are shared.

For further information, please contact your local Trading Standards Department.

For more information and advice about how to make your property more energy efficient and save money search the government website at www.gov.uk or visit www.energywatch.org.uk
The Energy Act 2011 includes provisions for the new ‘Green Deal’, which intends to reduce carbon emissions cost effectively by revolutionising the energy efficiency of British properties.

Under the Green Deal, landlords will be able to make energy efficiency improvements without having to pay for them upfront. Tenants will repay the cost of the measures through their energy bill savings whilst enjoying a more energy efficient home.

In this way the Green Deal is mutually beneficial to both landlords and tenants. As of April 2016, domestic landlords should not be able to unreasonably refuse requests from their tenants for consent to energy efficiency improvements, where financial support is available, such as the Green Deal and/or the Energy Company Obligation (ECO).

And from April 2018, all private rented properties (domestic and non-domestic) should be brought up to a minimum energy efficiency standard rating, likely to be set at EPC rating “E”. This requirement would be subject to there being no upfront financial cost to landlords.

The intention is that landlords would have fulfilled this requirement if they had either reached “E” or carried out the maximum package of measures funded under the Green Deal and/or ECO (even if this does not take them above an “F” rating).

For more information go to the Department of Energy and Climate Change (DECC) website www.decc.gov.uk and search for “Green Deal”.

Note: The DECC website will shortly be moving to the GOV.UK website as part of its ‘Inside Government’ service.
Tenancy Deposit Protection Schemes

As of 6th April 2007 and amended from 6th April 2012, all deposits taken on new or renewed Assured Shorthold Tenancies (ASTs) must be protected by a Government approved scheme. The deposit on an AST that has rolled on and become a periodic tenancy does not need to be protected again.

How does it work?
The tenant pays the deposit to the landlord or agent who must then ensure it is protected by one of the Government backed schemes. This must be done within 30 days of taking the deposit from the tenant and the tenant must be informed how the deposit is being protected, also within 30 days.

This will include:
- the contact details of the deposit scheme selected
- the landlord or agents’ contact details
- how to apply for the release of the deposit
- information about the purpose of the deposit, and
- what to do if there is a dispute about the deposit.

If an insure scheme is being used the tenant must be given a copy of the ‘Deposit Protection Certificate’ and the ‘Prescribed Information For Tenants’ that should be downloaded from the website of the chosen scheme.

The landlord or agent should ask the tenant to sign their copy of these documents as evidence that they have been provided to the tenant.

At the end of the tenancy, the condition and contents of the property should be checked against the tenancy agreement and inventory. The landlord or agent should agree with the tenant how much of the deposit will be refunded. The tenant should receive the agreed amount within working 10 days.

What happens if there is a dispute?
If no agreement can be reached about how much of the deposit should be returned, there is a free service offered by the scheme administrators to help resolve the dispute. The undisputed part of the deposit should be returned to the tenant. The disputed part of the deposit will be held by the scheme until the dispute is resolved.
Tenancy Deposit Protection Schemes

What happens if the landlord doesn’t protect the deposit or protects if later than 30 days?
The landlord cannot use a Section 21 Notice (a notice for possession of the property) to end the tenancy unless the whole deposit is returned to the tenant first. The tenant can apply to the local county court, who can order the landlord or agent to either repay the deposit or protect it in a scheme.

If the landlord or agent has failed to give the correct information to the tenant as required under the scheme and has not protected the deposit in one of the schemes and they fail to do so within 30 days, they will be ordered to pay the tenant between one and three times the amount of the deposit.

Landlords should be aware that if their agent fails to protect the deposit then the landlord will be liable. If the agent is using the insured scheme the landlord should hold the deposit as it remains their responsibility at all times. If an agent is a member of RICS (Royal Institute of Chartered Surveyors), ARLA (Association of Residential Letting Agents) or NAEA (National Association of Estate Agents) they may be using a scheme that is bonded by those organisations. In this case, the agent must hold the deposit. It is important that the landlord ensures that the agent remains bonded throughout the time they are holding the deposit. If they are not and anything goes wrong it is the landlord who must pay back the deposit.

A landlord has 30 days to protect a deposit after it is paid to him / her and must pay back undisputed deposits within 10 working days of the end of the tenancy.

What types of schemes are there?
There are two main types of scheme:

The Custodial Scheme
The landlord or agent hands the deposit over to the scheme to hold for the duration of the tenancy. This scheme is open to all and is free to use including an arbitration service that can be used in the event that a dispute develops at the end of the tenancy. The Custodial Scheme is run by:
The Deposit Protection Service
Contact Centre: 0844 472 7000
Web: www.depositprotection.com

Insured Schemes
The landlord or agent keeps the deposit and pays a fee to the scheme to fund an arbitration service that can be used in the event that a dispute develops at the end of the tenancy.
Tenancy Deposit Protection Schemes

There are two insurance-based schemes:
Tenancy Deposit Solutions Ltd
Tel: 0844 980 0290
Web: www.mydeposits.co.uk

The Dispute Service
Tel: 0845 266 7837
Web: www.thedisputeservice.co.uk

Be aware that these are the only schemes authorised to protect the deposits, although other schemes may profess to do so. Also from 6th April 2009 all agents must also be a member of one of the following professional bodies, otherwise they cannot use the insurance schemes to protect their tenant’s deposit:
- ARLA (Association of Residential Letting Agents)
- NAEA (National Association of Estate Agents)
- NALS (National Approved Letting Scheme) or;
- RICS (Royal Institute of Chartered Surveyors)

Either party can refuse to use arbitration and can take the dispute through the legal system. Once a dispute has gone to arbitration both parties have agreed that the outcome is binding, there is no appeals procedure.

There is no legal requirement to take a deposit, and some landlords may feel that it is not worth doing so. When you view a property ask if a deposit is needed, if so how will it be protected. Anything that is used to protect the landlord against losses or damages is a deposit and must be protected regardless of what it is called.

Some councils and other organisations offer deposit guarantee or bond schemes for certain people, you may wish to enquire if your local council operates such a scheme. If a bond is used this is not a deposit and does not need to be protected.

To reduce the likelihood of disputes it is advisable to complete an inventory detailing all fixtures and fittings including their condition and location before the tenant moves in. This should be detailed and ideally include photographs that should be signed by both landlord and tenant at the start of the tenancy.

For more information go to www.gov.uk and search for “Tenancy Deposit Schemes.”
Landlord Accreditation

Private landlords play an essential role in the provision of accommodation across the country. It is acknowledged and appreciated by local Councils that many private landlords provide and maintain properties to a good standard, often above the standard required by law. It is important to recognise these landlords and encourage others to achieve this higher standard. As part of this approach many local Councils work with residential landlords through voluntary accreditation schemes.

What is accreditation?
A set of standards (or a code) relating to the management and physical condition of privately rented accommodation. Landlords who join a scheme and abide by the standards are ‘accredited’. Accreditation schemes are voluntary; there is no compulsion for landlords to join.

Aims and Objectives of Landlord Accreditation Schemes

Aims
To provide landlords with information and professional development opportunities to:
• allow them to operate a successful business
• provide their tenants with safe and high-quality accommodation

Objectives
To:
• promote good practice and improve standards of management in the private rented sector
• provide advice and support to landlords on providing good quality well-managed accommodation
• provide a channel for consultation between local Councils and the private rented sector on strategic issues through questionnaires, forums and newsletters
• provide opportunities to inform landlords about legislative, policy or administrative proposals or changes and other matters that may affect them
• enable landlords to obtain better access to information from local Council staff and other sources
• reduce the number of landlord/tenant disputes needing intervention by local Council officers in relation to property condition and tenancy issues.

What benefits are there for tenants?
Tenants can benefit from knowing that if they choose to rent from an accredited landlord, the property will be in good condition and the tenancy will be managed to a good standard.
Landlord Accreditation Schemes

Midland Landlord Accreditation Scheme
The Midland Landlord Accreditation Scheme (MLAS) was launched in 2007 and has over 2,000 members. MLAS recognises professional landlords and agencies and has a direct aim to raise standards, recognise good practice and provide advice, education and the latest legal updates concerning the private rented market. It is a partnership between private landlords, various councils across the West Midlands, all major landlord associations, Police and Fire Service and universities.

To become accredited, landlords must sign up to a code of conduct, be a fit and proper person (as outlined in the Housing Act 2004) and attend a one day development seminar. For more information go to www.mlas.org.uk or telephone 0121 288 2008.

Dudley Property Accreditation Scheme
Dudley MBC not only links into the Midland Landlord Accreditation Scheme (MLAS) but also operates the Dudley Property Accreditation Scheme which accredits the property, not the owner.

Benefits include grants and advertising the property as accredited. For more information contact the Dudley Property Accreditation Scheme on 01384 815118.

Sandwell Property Accreditation Scheme
Sandwell MBC is also a MLAS partner organisation and in a scheme similar to Dudley MBC, invites landlords to offer their properties for accreditation. The many benefits include free advertising for accredited properties in the council’s property shops. For further information contact Sandwell’s Private Sector Housing Quality Team on 0121 569 5232 or email privatesector_housing@sandwell.gov.uk

North & Central Staffordshire Landlord Accreditation Scheme
The North & Central Staffordshire Landlord Accreditation Scheme was launched in 2003 as a partnership between local Councils in North Staffordshire and the North Staffordshire Landlord Association. The Scheme has 700 landlord members representing 3,000 properties in North and Central Staffordshire.

For more information look at www.landlordaccreditation.co.uk or contact the Accreditation Team at City of Stoke on Trent Council on 01782 232271.
Managing your money

Are you having problems managing your money? Are you getting behind with your bills including your rent?

Budgeting can make a big difference to how you manage money and control spending. If you find it difficult to make ends meet, why not try the following:
• jot down all your daily spending
• do the same over a whole week or month
• compare this with your total income
• highlight areas where savings could be made.

If you are spending more than your income and can’t make savings, you need to seek specialist advice.

This could be:
• help to find out if you are entitled to additional benefits
• help manage current debts
• advice on other ways to reduce your costs.

If you need advice on debt or money management

There are many agencies that offer free independent, impartial and confidential advice and information on personal debt and welfare benefits. Often they can refer you to other specialist services.

These services can be accessed in person, on the telephone or by the internet. Please contact your local Citizen’s Advice Bureau (more information can be found at www.citizensadvice.org.uk), Council or look at websites at the end of this book for more information.

Saving and borrowing

There is a network of community co-operatives called Credit Unions.

They provide:
• easy ways to save
• offer loans at affordable rates of interest.

Credit unions are co-operatives and you are in control of your own finances and have a say in how your Credit Union is run.
Please contact the Association of British Credit Unions Limited (ABCUL) on 0161 832 3694 or log on to www.abcul.org to find out about Credit Unions in your area, or look in Yellow Pages under ‘Credit Unions’.

**Do you have trouble understanding how to deal with your money?**

The Money Advice Service gives free, unbiased and independent advice across the UK to help people make the most of their money. For more information go to www.moneyadvice-service.org.uk or call their Money Advice Line on 0300 500 5000.

**Home Contents Insurance**

It is important to insure your property in case of burglary, fire or flood at your property. People often underestimate the value of their possessions. If you do not insure your belongings and they are damaged through fire or flood, or are stolen, then you will have to pay to replace them.

Please see the Association of British Insurers website www.abi.org.uk for information about Home Contents Insurance.
What is Housing Benefit and Council Tax Benefit?

Housing Benefit is help towards rent. Council Tax Benefit is help towards Council Tax for people on low incomes. Both types of benefit are paid by the Government, but are run locally by your council. Anybody who pays rent or Council Tax can make an application to their local council to see if they might be entitled to these benefits.

Local Housing Allowance (LHA)
If you rent from a private landlord and are making a new claim for Housing Benefit after 7th April 2008, or already receiving Housing Benefit but moving to a new address with a private landlord, your Housing Benefit will come under new rules called Local Housing Allowance (LHA). There are important differences between Housing Benefit claims made before 7th April, which do not come under LHA rules, and those made after. LHA rules do not affect council or Housing Association tenants.

How much benefit can I get?
Benefit is based on your personal or family circumstances, how much rent you pay, the area you live in and your income and savings. You can check how much benefit you may be entitled to with your local council. Most councils have online calculators you can use to work out your exact benefit level.

Major changes in 2013
Housing Benefit in its existing form is being abolished along with a list of other benefits in a process starting from October 2013. Income Support, Jobs Seekers Allowance (income Based) Employment Support Allowance (income Based) Working Tax Credits, Child Tax Credits and Housing Benefit will all go. They will be replaced with a new combined benefit called Universal Credit, to be made up of different elements which will take account of all of the claimant’s circumstances, including housing size and make-up, any other income and savings and housing costs. The new benefit will start to be rolled out from October 2013. All new claims will go straight onto the new benefit and existing claims will slowly be converted in a process expected to last up until 2018.

A good source of up-to-date information about Universal Credit is the main government website www.gov.uk - go to the website and search for Universal Credit.

A further significant change is the abolition of Council Tax Benefit in its current form. This will be replaced with a new Local Council Reduction Scheme which will be set using different rules by each local council. For details about this, you should contact your own local council.
You can usually access these from your council’s main website.

LHA is calculated according to how many bedrooms a claimant and their family need. LHA rates are set for each size of accommodation, and will vary from area to area. They are regularly updated to reflect changes in the housing market.

You can check these rates with your local council or visit the www.gov.uk website search money, tax and benefits.

A claimant is normally entitled to one bedroom for each of the following:
- any adult or adult couple
- any person over 16
- two children of the same sex
- any other child

However, if you are aged under 25, have no children or non-dependents living with you and do not qualify for the Severe Disability Premium or if you are over 25 and share certain facilities such as a bathroom or kitchen with other tenants your benefit will be based on the LHA ‘shared rate.’ There are also special rules for people aged under 22 who were previously looked after by Social Services. You should contact your council if this applies to you.

How to claim
Housing Benefit and Council Tax Benefit are claimed by completing a form available from your council. If you are making a new claim for Job Seekers Allowance, Income Support or Pension Credit you can also apply for Housing or Council Tax benefit at the same time by completing a form that the DWP, Job Centre or Pension Service will give you. It is very important to make your claim as soon as you can, delays can sometimes lead to you losing benefit.

What happens after a claim is made
The Benefit Office will work out your entitlement. Before they can do this they will need details of the claimant’s circumstances and evidence of income, savings, rent (such as a tenancy agreement) identity and National Insurance numbers. Even if you do not have all the information you need to make your claim, send your form in straight away.

How will I be informed about my benefit entitlement?
When your benefit has been worked out, a letter will be sent to you saying how much benefit you are entitled to. The letter will explain how much benefit will be paid, how this was worked out and what information was used. It is very important that you check the information is correct and contact the council if anything is wrong.
How will benefit be paid?
Council Tax Benefit is paid directly into the claimant’s Council Tax account. Housing Benefit paid under LHA rules is usually paid directly to the tenant, normally by automated transfer to a bank, building society or credit union account. Some tenants may be paid by cheque if they are unable to receive automated transfers but this is far less secure and can result in lost payments or delays. Payments are normally made two weekly in arrears.

In certain cases the council may be able to pay Housing Benefit directly to a landlord. This will be considered if the tenant or those acting on their behalf can show that they are unable to manage their financial affairs. Each council will have different procedures but evidence, such as a letter from a doctor or social worker will be required stating the difficulties experienced by the claimant.

Examples could include:
- alcohol or drug addiction
- gambling addiction
- mental illness
- learning disability
- a person leaving prison.

The council may also be able to pay benefit directly to a landlord if the tenant has failed to pay their rent, or if there is reason to suspect that the tenant may fail to pay. As soon as a landlord has any cause for concern about either possibility, they should contact the local council to report this.

Benefit would also normally be paid directly to the landlord if arrears equalling eight weeks rent have accrued. **A landlord should not wait eight weeks before acting**, but should contact the council as soon as they become aware of a potential problem. Landlords should be aware that although the Housing Benefit office will look carefully at any information received from a landlord, they are constrained by Data Protection legislation about what information they can give in return.

For Housing Benefits claims made before 7th April 2008, a claimant can still make a request for benefit to be paid directly to their landlord if they choose. A written request is required but no supporting evidence is needed.

Duties of Housing Benefit and Council Tax Benefit claimants
At intervals the claimant will be required to confirm their current circumstances by completing an intervention form. The claimant must complete this form if they want their benefit to continue. If the claimant’s circumstances change at any point after benefit has been claimed, they must tell the Benefits Office immediately and in writing. If you are not sure about whether a change will affect your benefit entitlement, you should check with the Benefit Office as soon as possible. If
you are overpaid Housing or Council Tax because the council has incorrect information, you may have to pay the money back.

Housing Benefit and Landlord duties
Landlords who receive their tenant’s Housing Benefit directly, have a duty under Benefit Regulations to tell the council if there is a change in the rent or the tenancy, or if they become aware of a change in the tenant’s circumstances.

What happens if benefit is overpaid?
If an overpayment of Housing Benefit occurs consideration will be given as to whom the overpayment will be recovered from. This could be the claimant or the landlord. The council will only recover from the landlord in cases where the landlord was the payee.

If you think a decision about your benefit is wrong
If you want to know more about any decision the council has made about your benefit, you can ask for an explanation or written statement of the decision. You should do this within one month of the date of the letter giving you that decision. If you think that the council has got something wrong you can:
• dispute the decision and the council will then look at it again; or
• ask for an independent tribunal to look at the decision. If you request this, the council will look at the decision again and if it cannot be changed your request will be forwarded to the independent tribunal who can change the decision if they think it is wrong.

To do either of these, you should write to the Council within one month of the date of the original decision, stating why you think the decision is wrong. If you need to write to the Council after one month, you must say why you are late in doing so.

Disclosure of information
The Council cannot disclose information about a tenant’s benefit claim to their landlord, because of customer confidentiality and the Data Protection Act, unless the tenant gives the Council written permission to do so. The tenant can withdraw this permission at any time.

Housing Benefit and Landlords’ rights
If a landlord receives Housing Benefit directly, they have certain rights under Benefit Regulations, for example:
• to receive information about the amount of benefit paid and the period it covers
• to be notified if direct payments cease
• to be given information as to why an overpayment is recoverable
• the right of appeal if the Council refuses to pay Housing Benefit directly to the landlord, in relation to LHA cases
• the right to appeal if the Council decides to make payment to the landlord and the landlord does not wish to receive direct payments.
Harassment Advice

It is a criminal offence for a landlord to harass a tenant or to force them to leave their home.

Harassment can take many forms. It may be stopping a tenant exercising their legal rights, or influencing them to move out of their home. This section aims to make all parties aware of their rights and responsibilities and highlight how, and where, to get help.

What is harassment in terms of rented housing?
Harassment is anything done by a landlord or someone acting on their behalf which stops a tenant living safely and quietly in their home.

A private tenant has a legal right to quiet enjoyment. This means they should be able to treat the property as their home and live there peacefully.

Anyone stopping them doing this could be committing a criminal offence.

If you think you are being harassed or just need advice about your situation contact your local council for further advice.

What can you do yourself?
Harassment may be frightening but there are things that you can do which may help and which will be important if legal action is pursued.

• keep a detailed diary of all the events that take place
• record times, what happened and what the other person said
• record what you said, whether there were any witnesses and when necessary take photographs of any damage caused
• make careful notes of when you reported incidents, try to make the report as soon as possible after the event
• confirm any phone calls with a written note
• keep copies of all letters
• always confirm all communications in writing; it is also a good idea to put any complaints of harassment in writing to the person causing the problem if you feel comfortable doing so
• try to have someone with you to act as a witness to conversations
• always get advice - please see ‘contact list’ later in this book.

Remember, harassment is a criminal offence; you do not have to put up with it. Get advice immediately.
Illegal Eviction Advice

What is illegal eviction?
A landlord cannot force a tenant to leave their home without an order from the Court, enforced by the County Court Bailiff.

Any attempt by a landlord to make a tenant leave without a Court Order is called illegal eviction and could be a criminal offence. Illegal eviction and harassment are often closely connected.

Other common ways in which tenants are illegally evicted include:
• locks being changed whilst the tenant is out
• being physically thrown out
• stopping the tenant getting into part or all of their home.

NB. If a home is shared with the landlord or his/her family, only ‘reasonable notice’ may be required when a landlord wants anyone to leave. If this is the case it is recommended that suitable legal advice is obtained.

What legal action can you take for harassment and illegal eviction?
Tenants are protected by law. They have the right to take action in the Civil Court against their landlord, either to stop harassment or to force the landlord to allow them back into their home. This is called a Civil Injunction. The Court Order, which forces a landlord to stop harassment, is also called an Injunction. This can be very effective because a landlord could be sent to prison for non-compliance.

Damages or compensation could be claimed if illegal eviction is proven.

Taking legal advice is recommended before commencing Court action.

What legal action can the local council take?
The Protection from Eviction Act 1977 makes harassment and illegal eviction criminal offences. This Act gives people the right to live in their homes without interference. It is also used by local councils specifically against landlords who illegally evict or harass tenants.

Any person convicted of an offence under The Protection from Eviction Act 1977 may have to pay a fine or be sent to prison, or both.

The Criminal Law Act
The Criminal Law Act (section 6) says that even if a landlord gets a Court Order telling someone to leave, it is still a criminal offence for a landlord to use physical force, or to threaten violence in order to make them leave.
Where to get help

- Ask to speak to a Tenancy Relations Officer at your local council
- If the local council does not think there is enough evidence to prosecute, they can still intervene. The council can warn landlords of the consequences of bad behaviour and may also mediate between landlord and tenants where there are disputes
- the local council can also provide information about your rights to take civil action and claim damages
- if the landlord has cut off the gas, water or electricity supply to get you to leave the property, the local council may be able to get the services reconnected and charge the costs to the landlord

Advice agencies
If you do not want to speak to the council, you could contact an independent advice agency such as the Citizens Advice Bureau (see your local telephone directory or view online www.citizensadvice.org.uk).

Solicitors
If you decide to consult a solicitor you should speak to one who specialises in landlord/tenant law. The local council or Citizens Advice Bureau may be able to offer a list of those with knowledge in this field. To help with the cost, you may qualify for legal aid.

The Police
If you feel threatened, you should contact the Police. They have a duty to protect you from threats and violence.

Some councils have special links with the Police to deal with Harassment and Illegal Eviction.

IN AN EMERGENCY PHONE THE POLICE:
DIAL 999

FOR NON-EMERGENCY CALLS:
101
Anti-Social Behaviour Advice

What is anti-social behaviour?
Doing things that cause, or are likely to cause harassment, alarm or distress to one or more people. There are powers available to tackle anti-social behaviour, such as:
- Anti-Social Behaviour Orders (ASBO)
- closure orders on premises which can also be used in connection with Class A drugs
- penalties for graffiti or fly posting.

Why do private landlords need to manage anti-social behaviour in their properties?
There are several benefits for landlords in managing anti-social behaviour:
- protect property values
- less damage
- lower turnover of tenants.
The tenancy agreement should be easy to understand and is likely to include clauses about conduct and antisocial behaviour on the premises.

Breach of the tenancy agreement may lead to the landlord seeking possession of the property through the courts.

What if you are suffering as a result of anti-social behaviour?
Contact your local council or the Police and keep records of incidents.

To report a crime or give information about crime anonymously or use our anonymous online form www.crimestoppers-uk.org

Crimestoppers Trust is a registered charity No. 1108687 (England) and No. SCO37960 (Scotland) and a company limited by guarantee.
Furniture and Furnishings

**Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended 1989 and 1993)**

Furniture in rented accommodation is regulated by the above legislation. The following is not an authoritative document on the law and is intended for guidance only. For further guidance contact the Trading Standards Service of your local council.

**To whom does this apply?**

Any person who is involved in the renting, leasing or letting of any furnished domestic accommodation, including furnished flats, bed-sits, holiday homes, caravans and boats.

**What is meant by ‘furniture’?**

This means upholstered furniture of any description, which is ordinarily intended for private use and includes furniture such as chairs, suites, beds, headboards, sofa beds, children’s furniture, cots, cushions or mattresses and pillows, but does not include bedding or floor coverings. Furniture manufactured before 1 January 1950 does not have to comply with these requirements.

**How will this affect you?**

Since 1 March 1990 all new upholstered furniture supplied in the course of renting a property, for private use, must comply with the ignitability tests prescribed by regulations and must bear permanent labelling to this effect (see examples on page 26). Where accommodation was rented after that date, any new upholstered furniture added to that property must comply. This should not be a problem, as only new furniture that complies should have been on sale from that date.

From 1st March 1993:

- any second hand upholstered furniture which is supplied in the course of renting a property for private (not commercial) use must also comply with the prescribed ignitability tests
- any second hand upholstered furniture which has been brought into a rented property to replace, or add to, the furniture already there, must comply fully with the ignitability tests
- where accommodation is rented for the first time, or to a different occupier, all upholstered furniture included as part of the rental agreement must comply with the prescribed ignitability tests and must be marked with a permanent label (see examples on page 26).

In new lets from 1 January 1997 all upholstered furniture included in rented property must comply with the ignitability tests of the regulations whether the landlord or the tenant has purchased it.
Display labels
Permanent display labels are found on new furniture while on sale:

- the label will always have a caution saying: ‘Carelessness Causes Fire!’
- it will tell you what has been done to make the furniture comply with the regulations, i.e. “All covers tested, to ensure they are match resistant”
- it will have a method of identifying the manufacturer, even if it is only a code number that the retailer can understand.
- it will be fixed to the furniture PERMANENTLY (i.e. glued or sewn in).

The exact wording of the label may change, but the meaning will remain the same.

Always ensure that ANY upholstered furniture brought into the property, given as a gift or supplied by a charitable organisation meets the safety requirements of these regulations. You may be held responsible in common law for any damage, injury or death resulting from fire involving furniture that does not comply. Proof of purchase dated after 1988 is evidence that the landlord bought the furniture in good faith and the supplier is responsible to ensure that the standards are adhered to.

*Please contact your local Trading Standards for further advice.*

Furniture and Furnishings

Appropriate to new furniture which meets the filling requirements and is cigarette resistant. The word “product” may be substituted for the word “furniture” on the second side of this label.

Appropriate to new furniture which meets the filling requirements and is both cigarette and match resistant.

Appropriate to new furniture with a limited range of cover fabrics. The cover fabric is not match resistant, but the furniture has an interliner which passes the specified test. The furniture meets the filling requirements and is cigarette resistant.
Fire Safety Advice

Most fires in the home start accidentally. However, there are some simple steps you can take to help make your home safer from fire i.e. installing a smoke alarm.

On the following pages is some simple advice you should consider.

You can contact your local Fire and Rescue Service for further advice, or for a for a FREE Home Fire Safety Check. These checks will advise on any potential risks and how to reduce or prevent them, and where appropriate, fit smoke alarms.

To find your nearest service visit www.gov.uk and search for “Fire and Rescue Service”.

Smoke alarms

Smoke alarms can save your life - they give early warning should a fire break out giving you vital seconds to escape.

Your landlord may have installed them in the property already. If not, they are available from most supermarkets, DIY stores and electrical equipment stores and cost from £5.00.

If you purchase one, make sure that it complies with British Standard (BS EN 14604:2005) and carries the British Standard Kite Mark.

There are various types of smoke alarms available including for people who have a disability (i.e. smoke alarms for the hearing impaired). For more information, contact your local fire service.

A smoke alarm should be installed on every level of your home. Put smoke alarms on the ceiling in your hallway and your upstairs landing.

DO:
✓ change the BATTERY as per the manufacturer’s instructions or immediately if your alarm beeps
✓ TEST your smoke alarm once a week by pressing the button on the alarm

IF THERE IS A FIRE IN YOUR HOME:
GET OUT
STAY OUT
DIAL 999

DO NOT TRY AND ATTEMPT TO TACKLE THE FIRE YOURSELF
CLEAN your smoke alarm in accordance with the manufacturer’s instructions. If it is has TEN YEAR battery, you will need to replace the whole alarm unit every ten years. If the smoke alarm fails to continue working during this period, you must also replace the whole alarm unit.

**DO NOT:**
- put a smoke alarm in the kitchen or bathroom - it could be set off by cooking fumes or steam
- cover or tamper with smoke alarms.

**NEVER:**
- REMOVE WORKING BATTERIES from smoke alarms to use in another item. A smoke alarm should ALWAYS have a working battery.

**Kitchen safety**

A fire can start easily in the kitchen. To keep safe:

**DO:**
- keep items like tea towels and oven gloves WELL AWAY from the cooker and toaster
- make sure the wires from your kettle and toaster are away from the cooker and keep them away from water too
- keep your cooker, toaster and grill CLEAN. Crumbs, grease and fat can easily catch fire
- check that you have turned the cooker off when you have finished cooking.

**NEVER**
- leave the kitchen when you are cooking
- leave saucepan handles sticking out from the hob - they can easily knocked over!

It is best not to use a chip pan - they can easily catch fire; you can use an electric deep fat fryer that plugs into the wall instead. They are safer to use because they do not get too hot.

**BUT IF YOU DO USE A CHIP PAN:**
- NEVER fill it more than one-third full of oil
- dry food before you put it in the hot oil
- If the oil starts to smoke, turn off the heat and leave the pan to cool.

**IF THE PAN DOES CATCH FIRE:**
- NEVER: take any risks - turn the heat off IF IT IS SAFE to do so.
- THROW WATER over it
- tackle the fire yourself

### Fire Escape Plan

Would you know what to do if a fire broke out in your home?

Make sure all your exits are clear.
Make plan for your escape - so you, and anyone else in your home, know what to do should a fire occur!
Fire Safety in the Home Advice

Carbon monoxide (CO)

Unsafe gas appliances can produce a highly poisonous gas called carbon monoxide (CO). It can cause serious long term health problems and can kill. Carbon monoxide is invisible; it has no colour, taste or smell. If you have any concerns about your gas appliances you should get a Gas Safe registered engineer to inspect them immediately.

Note: smoke alarms are NOT carbon monoxide detectors. Carbon monoxide detectors are available from most supermarkets, DIY stores and electrical equipment stores and cost from £15.00.

Further information is available on the Gas Safe Register website: www.gassaferegister.co.uk

Night-time routine

DO:
✓ do a safety check before you go to bed each night
✓ make sure all doors are closed - this will delay the spread of smoke and fire
✓ switch off electrical appliances at night
✓ check gas appliances are switched off
✓ put a spark guard in front of open fires
✓ make sure cigarettes are correctly extinguished
✓ make sure no candles are left burning.

Electrical safety

Electricity can start a fire in your home. To keep safe from fire:

DO:
✓ check that plugs and leads are safe
✓ if you see loose wires, scorch marks or other damage, get a new plug and lead.
✓ ask a qualified person if you are not sure or need help
✓ only put ONE plug in ONE wall socket
✓ unplug things like toasters, lamps and hairdryers when you are not using them. If you leave them plugged in they could start a fire
✓ UNPLUG YOUR ELECTRIC BLANKET BEFORE YOU GO TO BED. When you are not using it, keep it flat or rolled up, not folded
✓ put heaters in a safe place where they will not be knocked over, such as against a wall.

NEVER:
✗ plug lots of electrical items into one wall socket
✗ put leads under carpets or mats as this can start a fire and you cannot see if the lead is damaged
✗ dry clothes on a electric or gas heater
✗ put heaters near curtains or furniture
✗ put lamps near curtains.
Fire Safety in the Home Advice

Cigarettes

Smoking materials are one of the biggest causes of fire in the home.

**DO:**
- ✔ check that you have **PUT YOUR CIGARETTE OUT PROPERLY.**
- ✔ use a proper ashtray
- ✔ be careful if you are feeling sleepy: it is easy to fall asleep with a lit cigarette
- keep matches and lighters away from children.

**NEVER:**
- ✗ smoke in bed; it is easy to fall asleep and set your bed on fire.

Candles

Candles are increasingly becoming a decorative item within homes. They are a naked flame - ensure you use them safely.

**DO:**
- ✔ put candles in a proper candle-holder
- ✔ put CANDLES OUT before you leave the room
- ✔ put all CANDLES OUT before you go to bed.

**NEVER:**
- ✗ put candles near anything that could catch fire, like curtains or sofas.
- ✗ put candles on plastic surfaces like your bath or television - candles can cause them to melt and burn!

**FREE FIRE SAFETY CHECK IN YOUR HOME**

Many Fire and Rescue Services offer a FREE HOME FIRE SAFETY VISIT to people living within their fire station areas. These home fire safety visits are carried out by firefighters: they are completely FREE and you may be eligible for a FREE smoke alarm. You will not be sold anything.

These visits will:
- help you identify and be aware of the potential fire risks within your home
- show you what to do to reduce or prevent risks
- ensure you have working smoke alarms
- help you put together an escape plan in case a fire does break out

Contact your local Fire and Rescue Service for further information.
Many crimes could be avoided through common sense crime preventative measures. The following advice is intended to provide the reader with some useful tips to reduce their risk of becoming a victim of crime and to provide them with an increased feeling of safety and security.

Property Security

Burglary
Statistically HMOs, and private rented accommodation in general, are more at risk of burglary than owner occupied houses. It is important therefore, to consider the security of the property being viewed to rent before you sign the contract. As part of the checklist there is a Police advice questionnaire, which allows you to check the security of the properties being viewed.

From the burglar’s eyes
The security of the exterior of the property is in some ways more important than the security of the property itself as it could be the outside of the property which will determine whether a burglar attempts to enter it or not.

In order to identify a potential target a burglar will look at properties from the road, any adjoining track, footpath, playing field or other open land before deciding which property to break into. They will initially look for a property which appears to be empty and has easy access to the back of the building – as the point of entry for many burglaries is around the back, it is important to consider how access is gained to the rear of the property.

The surrounding area may also provide the burglar with good cover, for example, trees and high bushes – they do not like properties, which can be seen or overlooked by road users or neighbours. Burglars also prefer properties, which have no visible signs of protection such as alarms and lighting.

Doors

The security of doors is very important. It is important that you check that locks are fitted flush to the door. It is easy to pull out or break locks that are protruding more than 3mm away from the surface. There are various security recommendations that you should consider, when viewing the property. See chart on page 32 for further advice.

Interior Doors
Note that interior doors should have the same level of security as the exit doors above if it is in effect your front door, e.g. in properties that are divided into bedsits or flats.

All interior doors should meet current and applicable fire safety standards.
### Exit Doors (reference guide)

<table>
<thead>
<tr>
<th>Feature</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 lever mortice thumb turn lock</td>
<td>5 lever mortice locks are recommended by The Association of Chief Police Officers (see further <a href="http://www.securedbydesign.com">www.securedbydesign.com</a>) and the Association of British Insurers. There are currently two types of mortice lock – a deadlock which is BS3621, and a cylinder thumb turn (which does not require a key to open it from the inside) which is BS8621. To ensure escape from fire is not compromised it is recommended by both West Midlands Police and West Midlands Fire Service that BS8621 locks are installed on exit doors, <strong>but please note that their ability to protect the property from burglary is useless if they are installed onto doors which have glass in, or next to them, or if the thumb turn can be reached by putting a hand through the letterbox.</strong></td>
</tr>
<tr>
<td>Automatic deadlocking rimlatch</td>
<td>These should be installed between one third of the way from the top of the door and one third from the bottom of the door. <strong>Please note however, that these do require keys to open from the inside and, therefore, compromise safe escape from fire - everyone using the property must have ready access to the keys.</strong></td>
</tr>
<tr>
<td>British Standard PAS 24-1 Door</td>
<td>It is important that all products used conform to BS or the equivalent EN standards (see <a href="http://www.securedbydesign.com">www.securedbydesign.com</a> for a list of current BS standards relating to doors, locks and windows). A PAS 24-1 door is recommended by the Association of Chief Police Officers and the Association of British Insurers. The door is a solid door and is a minimum of 44mm thick.</td>
</tr>
<tr>
<td>Hinges</td>
<td>Doors that open outwards are generally more secure than those that open inwards due to the method that would need to be used to force entry. They may however, not always be practical to fit; for example if the door opens directly onto the pavement. If you door does open outwards, the hinges will be on the outside of the door frame. They are therefore at potential risk of being removed, thus allowing entry to the property. In such cases, hinge bolts or security hinges should be used to re-enforce door security.</td>
</tr>
<tr>
<td>Glass in door</td>
<td>If there is glazing in the door, ensure that it is laminated and that wooden beading is used which is glued and fixed with security screws.</td>
</tr>
</tbody>
</table>
Window Security

The Home Office estimates that one third of burglars enter through a window, so it is important to ensure that all windows fitted comply to BS7950 ‘Windows of Enhanced Security Standard’ and that laminated glass is used in ground floor and accessible windows. Window locks should also be installed in these vulnerable windows to deter burglars. To enter through a locked window means that he/she would need to break the window, which will increase the noise that they make and therefore, the risk of them attracting attention.

It is less likely that a window in a house will form part of the means of escape in the event of fire. It is therefore less important to consider installing thumb turn locks on windows. The key should not be left in the window and needs to be hidden out of sight of potential burglars. It must however be easily accessible to everyone using the property in the event that it is needed as a fire escape.

NOTE: In the absence of a multi-point locking system and laminated glass, all ground floor windows and those which open onto accessible areas, balconies or roofs should be fitted with window locks – UNLESS DESIGNATED AS AN ESCAPE ROUTE.

It is also important to consider the type of window:

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louvre</td>
<td>A number of overlapping glass slats that pivot to a horizontal position to open. These windows are especially vulnerable because burglars can easily remove the slats out of the frame. Slats should be glued in place and a louvre lock fitted.</td>
</tr>
<tr>
<td>Transom</td>
<td>A top pivoting window. On wider transoms, locks should be fitted on both sides of the window.</td>
</tr>
<tr>
<td>Casement</td>
<td>A side pivoting window. On taller casements, locks should be located at the top and bottom of the window.</td>
</tr>
<tr>
<td>Timber</td>
<td>Check for signs of damp, wear or rot. Wooden beading is recommended when fitting glass into these frames, glued and screwed or glued and pinned with annular ring (ribbed) nails to prevent easy removal of the glass.</td>
</tr>
<tr>
<td>Metal</td>
<td>These are generally older frames and may suffer from corrosion and loose locking systems, thus reducing their security.</td>
</tr>
<tr>
<td>UPVC</td>
<td>The problem with these frames is the wide range of styles and quality available. Ensure that they meet BS 7950 standards. When fitting locks, talk to the installer to ensure that they do not affect the warranty of the window.</td>
</tr>
</tbody>
</table>

Please note that the BS standard on window frames refers to testing done for weather tightness and mechanical performance and is not a security endorsement.
Once you have moved into your property

Choosing a property with all of the security measures above will not guarantee that you will not be a victim of burglary, but will help to reduce this risk. Security items only work if they are in use – a high percentage of all burglaries are through insecure windows or doors!

Consider doing the following:

- Record the make, model and serial number of electrical goods and take photographs of any items of sentimental monetary value or antique value
- record the IMEI of your mobile phone (can be found underneath the battery on most models or by dialling *#06#)
- property mark your items. (The simplest method is to write your house number and your postcode on the back of individual items with an ultra violet marker pen. For further property marking advice please see page 35)
- register your property on the national database www.immobilise.com
- when you purchase new electrical items, do not put the empty boxes outside as this advertises what you have bought
- if you use a computer in your property, back up any work and keep this separate to the computer
- keep valuables out of sight
- hide/lock away any valuable or sentimental items or anything that identifies you, e.g. passport, credit cards and any banking items, national insurance card, driving licence, personalised jewellery etc.
- Ensure you are covered by insurance for theft. Please note that some insurance companies will insist on certain security measures and you may invalidate your insurance if these are not adhered to.

When you are out:

- Most burglaries will occur when you are out of the property – this could be during the day if you work, or during the evenings when you may be out socialising. In order to reduce the risk of burglary, try to create the illusion that someone is still in the property
- use timer switches on lights and radios which you can set to go on and off at different times when you are out. These are fairly cheap and can be purchased from DIY shops
- if you are going out in the evening, close the curtains and use your timer switches. Open curtains during the day.

When you go away:

It is crucial to create the illusion that there is still someone in the property and it is important that in addition to the points above regarding the use of timer switches and the pulling/drawing of curtains, you also consider doing the following:

- it is common for tenants to have to inform the landlord if the property will be empty for a long period of time
Police Advice

• if you are worried about a build up of post or being sent important documents whilst you are away, for a small fee you can register with Royal Mail’s Keepsafe Scheme whereby Royal Mail will keep your mail for up to two months. You can get a Keepsafe application from your nearest post office
• inform a friend/neighbour and ask them to keep an eye on the property – ask them to push mail/newspapers through the letterbox. Bear in mind that if the front door is glazed, the build up of post will be seen from the outside and you need to ask a friend/neighbour to physically come into the property to move this out of view
• cancel any milk or newspaper delivery
• do not put bags of rubbish outside the house before the collection date
• hide/lock away any valuable or sentimental items or anything that identifies you, e.g. passport, credit cards and any banking items, national insurance card, driving licence, personalised jewellery etc.

Property marking

What’s the point in property marking?
Property marking serves several purposes. Firstly, property that is marked is less desirable to a burglar as it is harder for them to sell. Secondly, if property is stolen and it is marked, there is a greater chance that you will get it back. Finally, if a criminal is arrested with property that is marked, it is easier for the Police to prove that the property is stolen and get a conviction.

How and what to property mark
There are several ways to mark your property depending on the type of object to be marked. The methods include:

Ultra-violet (UV) or “invisible” marking
An ultra-violet (UV) pen can put an invisible mark on property, which can only be seen using UV light. UV marking can be used on items such as computers, TVs, stereo equipment, mobile phones. It is best to mark the item with a postcode and house number (or if you are a student write the name of your University and your student ID number). Write on the back of the item, or underneath the battery if it is a mobile phone. Use a permanent UV pen or the mark will fade in time, especially when exposed to sunlight, and can be washed off. Pens can be bought cheaply from many retail outlets such as hardware stores.
Engraving or etching
Engraving or etching is suitable for many hard surfaces (including items suitable for UV marking and pedal cycles) and can be done using an electric engraving tool or a hand engraver. This method leaves a visible and permanent mark.

Ceramic marking
Ceramic marking pens have been developed to mark china, glass and any glazed surface. They do not cut or scratch the surface but leave a permanent mark.

Labelling Systems
Bar code systems are available (e.g. Episys) - where a set of bar code labels can be printed showing a person’s (or business premises) postcode. The label is attached to the item (e.g. TV unit, computer, mobile phone, etc.). If removed, it leaves a residue that cannot be cleaned from the item. This system is best used in conjunction with another type of marking, e.g. UV pen/ceramic marking, etc.

Punching
Mark heavier metal items such as lawn mowers with a hammer and a set of punches.

Antiques
If the item is antique or valuable consider using liquid marking systems that are invisible on the property, but have their own unique identifying serial number, e.g. alpha dot, smart water.

Where to mark your property
Where your property is marked is important, particularly when using the engraving method. For the mark to be out of sight, choose somewhere behind or underneath the article, not somewhere so hidden that the Police would not be able to find it. If it is a mobile phone write underneath the phone’s battery.

Easy-to-use property marking kits are available from stationers and DIY stores.

Register your property on the national property database www.immobilise.com

Neighbourhood Watch
Neighbourhood Watch is a community-led initiative supported by the Police. Members aim to reduce the opportunity for crime and improve community safety by reporting suspicious incidents to the Police and to each other. Research has shown that areas where Neighbourhood Watch is operating are less likely to be targeted by burglars.

Your local Police Station has information about how to set up a new Neighbourhood Watch Scheme, or how to join an existing one. The Police fully support Neighbourhood Watch and encourage you to join a scheme.

For more information go to: www.ourwatch.org.uk
Police Advice

Safety on the Street

Robbery/violence on the street
Most offenders will target victims if they see that they are carrying something that is valuable, or they have made themselves vulnerable for example, being in an area that is not overlooked by other members of the public:
- plan your route before leaving
- look confident
- do not have items on display e.g. jewellery and avoid talking on your mobile phone in the street
- do not “advertise” what you have e.g. white earphones advertise that you have an iPod (consider changing these for black ones); a laptop bag advertises that you are carrying a laptop (consider putting the laptop in a rucksack)
- carry your bag securely; put the strap across your body and make sure the fasteners are facing you
- when out in the evening try to stay with friends/family and come back with them
- avoid walking home alone after dark: if alone avoid short cuts and stick to well lit busy roads. Walk in the middle of the pavement avoiding doorways and hedges.
- avoid using isolated cashpoints: if you can, use the cashpoints inside bank branches as there will be other people about and these are also at less risk from cloning devices being placed in the slots
- avoid using cashpoints after dark
- be aware of people invading your private space and be alert to your surroundings, knowing where you can feel safe if you are feeling vulnerable (e.g. other people, shops, cafes/bars restaurants, police/fire/ambulance stations, security staff, etc.)
- carry keys to hand; keep keys separate from other items that identify your address
- carry a personal attack alarm and have it accessible to use
- if approached by someone that makes you feel threatened or vulnerable in any way, ask them to leave you alone. If this fails, shout or scream at them. By making a lot of noise you are aiming to draw the attention of other people to you.

Transport safety

Taxis
In order for you to be suitably insured, you must book all private hire vehicles. Hackney style “black cabs” are the only taxis which can be legally flagged down at the side of the road:
- make sure you have the phone number of a private hire company on you. When booking the taxi ask the controller for the driver's name, call sign and type of car that they will be driving and check these details when the car arrives
- always sit in the back
- if you chat to the driver avoid revealing personal details
- have the cash to hand before you reach your destination.
Police Advice

- if you feel uneasy, ask the driver to drop you in a familiar or busy location and get out.

Buses and trains
- know the times of buses/trains to avoid long waits at bus-stops/platforms
- keep items out of view (as per above advice on Safety on the Street on page 37)
- on a bus, sit downstairs and near to the driver: if these seats are unavailable. Sit in view of the CCTV if the bus is fitted with this
- on a train, sit in compartments where there are other people and note where the guard/emergency pull is.

Safety on a night out

In addition to the ‘Safety on the Streets’ and ‘Transport safety’ advice, if you are out socialising also consider the following:
- go out with others, stay with them and come back with them. Consider taking it in turns for one person to stay sober to drive and look after the group
- know your alcohol limits; avoid mixing your drinks and break them up with water. You become more vulnerable to crime the more alcohol you consume
- do not accept drinks that you have not seen poured and do not leave your drink unattended or turn your back on it.

Motor vehicle safety

The most common motor vehicle offences are the actual stealing of the vehicle and stealing items from the vehicle.

To reduce the risk of theft of the motor vehicle consider doing the following:
- if you are buying a second-hand car it is also a good idea to have the vehicle ownership checked (companies like the AA or RAC will do vehicle checks for you)
- if possible park your vehicle in a garage overnight
- always remove the ignition keys and lock the vehicle even for short stops and never leave your vehicle running whilst unattended
- fit security devices such as steering wheel locks (those that go all around the steering wheel e.g. ‘Disklok’ (see further below for further contacts for vehicle security and testing)
- consider etching the windows (and possibly the lights) with your car registration number
- if possible, park your vehicle in car parks that have been awarded the Safer Parking ‘Park Mark’ award (for further
information about this Scheme and a list of car parks that have the award, please go to the following websites:

- www.parkmark.co.uk
- www.britishparking.co.uk

- Park in well lit areas wherever possible. If parking in daylight for any length of time, think how the car park will look during the hours of darkness.
- If possible, park your vehicle in view of CCTV.
- Lock your doors if you are in the vehicle, particularly if the approach of someone makes you feel vulnerable.
- When parking, consider reversing into spaces as this makes it easier and quicker to drive away if approached.

To reduce theft from your motor vehicle, consider doing the following:

- Ensure all valuables are out of sight; they should preferably be removed from the vehicle.
- Ensure you remove audio equipment including face-offs and removable Satellite Navigation systems and take these with you. If your satnav leaves marks on the dashboard or windscreen where the rubber suckers hold it in place, make sure you wipe these off.
- Do not leave bags in the vehicle: the items inside the bag may be worthless, but you are still tempting a thief to break into the vehicle to see what's inside.
- Mark all of your belongings with your postcode and house number or name and register them on the national database www.immobilise.com.

- If you are alone in the vehicle, avoid putting items (e.g. mobile phone, handbag, wallet, etc.) on the passenger seat. If you are stuck in traffic, or stopped at traffic lights, it is easy for offenders to open the passenger door and steal items from within the car.
- Fit locking wheelnuts to wheels.

Pedal cycle safety

- Always lock your bike with a security rated ‘D lock’. Most bikes are stolen by using bolt croppers to cut through a poor standard chain or combination lock.
- Ensure the pedal cycle is locked to a fixed place that is secured to the ground.
- Try to lock the pedal cycle in secure areas, in view of CCTV.
- If you have quick release wheels make sure that they are either removed and locked to the frame and back wheel or make sure that a second ‘D lock’ secures that wheel to a solid and immovable object. Take off any removable parts (e.g. lights and saddle).
- Property mark your pedal cycle and register it on the national database www.immobilise.com.
- Record the frame and wheel numbers.
- Never buy a pedal cycle unless you are satisfied it is from a reputable source.
Important Checklists

Safety checklists for use when looking for or providing rented accommodation

What to ask before you visit
Housing & Property | Fire Safety | Police & Security
Tenancy Agreement

These safety checklists are available for you to download as a separate PDF file - and to print out and use for each property you view.

The checklists allow you to check properties you are viewing for rent, and if you are a landlord, covers all the safety aspects that prospective tenants will be looking at.

Copy the checklists and use them every time you view a property.

The main guide and important checklists, provided as a separate Acrobat PDF files, can be downloaded FREE from www.homestamp.com
Useful Contacts

A full list of Homestamp Consortium partners can be found on page 59, with details of their websites, which provide further information and advice.

Please note: Homestamp is not responsible for the quality, accuracy or content of external websites

West Midlands Police
Lloyd House,
Colmore Circus,
Birmingham B4 6NQ.
Non-Emergency Number: 101
In an Emergency: 999
All other enquiries: 0845 113 5000
Web: www.west-midlands.police.uk

General Crime Reduction advice websites
West Midlands Police:
www.west-midlands.police.uk
For information on crime in your area:
www.police.uk

Crimestoppers
To report a crime or to give information about a crime anonymously: 0800 555 111
or use anonymously online at
www.crimestoppers-uk.org

Student Crime Reduction advice website
West Midlands Police:
www.west-midlands.police.uk/saferstudents

Crime support
Neighbourhood Watch
www.ourwatch.org.uk

Fire Safety advice
Free Home Fire Safety Checks are available from your local fire and rescue service.

To find your local Fire and Rescue Service search: www.gov.uk

Security Testing Standards
Security Testing Standards
Secured by Design
www.securedbydesign.com
This website lists approved companies and products. ‘Secured by Design’ (SBD) is a Police initiative to encourage the building industry to adopt crime prevention measures in development design to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment.

It is intended to achieve a better quality of life by addressing crime prevention at the earliest opportunity in the design, layout and construction of homes and commercial premises.

“In doing so ‘Secured by Design’ supports one of the Government’s key planning objectives – that is the creation of secure, quality places where people wish to live and work.”

Secured by Design’ is supported and managed by the Association of Chief Police Officers (ACPO) and has the backing of the Home Office. It has been drawn up in consultation with the Department of the Environment, Transport and the Regions as well as trade, industry and standards bodies. The Scheme is also endorsed by the Suzy Lamplugh Trust, the Association of British Insurers (ABI) and a host of regulatory bodies.

The ‘Secured by Design’ Scheme functions on two levels:
• An award to developers who build developments to ‘Secured by Design’ standards.
• A licensing scheme for products which meet Police preferred specifications.

‘Secured by Design’ applies to owner occupied and private rented houses as much as businesses.
Useful Contacts

**Sold Secure**  
[www.soldsecure.com](http://www.soldsecure.com)  
The Sold Secure company independently tests a wide range of products to enhance vehicle security, secure leisure equipment, secure homes or businesses and to protect valuables. Items tested are rated gold, silver or bronze depending on how long it takes an offender to break through them.

**Thatcham**  
[www.thatcham.org](http://www.thatcham.org)  
Thatcham work with manufacturers to improve and test security and safety designs.

**Safer Parking Awards**  
[www.parkmark.co.uk](http://www.parkmark.co.uk)  
[www.britishparking.co.uk](http://www.britishparking.co.uk)  
Parkmark is an initiative of the Association of Chief Police Officers aimed at reducing crime and the fear of crime in parking areas; certain parking facilities that have received the Safer Parking Awards, called Park Mark®, have seen a drop in vehicle related crime of over 80% (figures from Home Office Study 266, ‘Between the Lines’ is an evaluation of the secured car park award). The Park Mark® Safer Parking award is granted to parking areas that have achieved the requirements of a risk assessment as conducted by the Police. These requirements mean the parking operator has put in place measures that help to deter criminal activity and anti-social behaviour, thereby doing everything they can to prevent crime and reduce the fear of crime in their parking area.

For further information and a list of car parks that have the award, please refer to websites, above.

**Immobilise Property Register**  
To register your property on the national property database, go to:  
[www.immobilise.com](http://www.immobilise.com)

**Government agencies**

Note: By 2014 all government departments and agencies will be relocated to GOV.UK as part of its ‘Inside Government’ service.

For more information visit: [www.gov.uk](http://www.gov.uk)

The current websites are listed below:

Department of Communities and Local Government (CLG)  
[www.communities.gov.uk](http://www.communities.gov.uk)

Department of Work and Pensions (DWP)  
[www.dwp.gov.uk](http://www.dwp.gov.uk)

Department of Energy and Climate Change (DECC)  
[www.decc.gov.uk](http://www.decc.gov.uk)

To find your local Council and other government organisations and for easy access to government information and online services visit:  
[www.gov.uk](http://www.gov.uk)  
and search for the information you are looking for.
Useful Contacts

Energy Efficiency
EPC Register
www.epcregister.com

Energywatch
www.energywatch.org.uk

Green Deal
www.decc.gov.uk

Tenancy Deposit Schemes
The Deposit Protection Service
www.depositprotection.com

Tenancy Deposit Solutions Ltd
www.mydeposits.co.uk

The Dispute Service
www.thedisputeservice.co.uk

Landlord Accreditation Schemes
Midland Landlord Accreditation Scheme (MLAS)
www.mlas.org.uk

North & Central Staffordshire Landlord Accreditation Scheme
www.landlordaccreditation.co.uk

Citizens advice
Citizens Advice Bureau
www.citizensadvice.org.uk

Financial Advice
Association of British Credit Unions Ltd
www.abcul.org

Money Advice Service
www.moneyadviseservice.org.uk

Association of British Insurers
www.abi.org.uk

Utilities
UK Water companies
www.water-guide.org.uk

Gas Safe Register
(Registered gas engineers)
www.gassaferegister.co.uk

Trading Standards
www.tradingstandards.gov.uk

Health and Safety Executive
Gas Safety Advice
www.hse.gov.uk/gas/domestic

Professional Associations
Royal Institution of Chartered Surveyors (RICS)
www.rics.org

The Association of Residential Letting Agents (ARLA)
www.arla.co.uk

National Association of Estate Agents (NAEA)
www.naea.co.uk

The National Approved Letting Scheme (NALS)
www.nalscheme.co.uk

Home advice
Shelter
www.england.shelter.org.uk
Partners signed up to the Homestamp Consortium include the following list. Organisations continue to join us, so look on our website for the latest list of partners.

www.homestamp.com

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1562-1564 Stratford Road, Hall Green,
Birmingham B28 9HA.
Tel: 0121 288 2008
Email: talk@homestamp.com

Follow us on Twitter: @homestamp

Birmingham City Council
www.birmingham.gov.uk
Birmingham City University
www.bcu.ac.uk
Bromsgrove District Council
www.bromsgrove.gov.uk
Borough of Telford and Wrekin
www.telford.gov.uk
Coventry City Council
www.coventry.gov.uk
Dudley Metropolitan Borough Council
www.dudley.gov.uk
Herefordshire Council
www.herefordshire.gov.uk
Jim Haliburton (private landlord)
Lichfield County Council
www.lichfield.gov.uk
National Landlords Association
www.landlords.org.uk
Redditch Borough Council
www.redditchbc.gov.uk
Residential Landlords Association
www.rla.org.uk
Sandwell Metropolitan Borough Council
www.sandwell.gov.uk
Solihull Metropolitan Borough Council
www.solihull.gov.uk
Stafford Borough Council
www.staffordbc.gov.uk
City of Stoke on Trent
www.stoke.gov.uk
Telford and Wrekin Council
www.telford.gov.uk
University of Birmingham
www.bham.ac.uk
Walsall Council
www.walsall.gov.uk
West Midlands Arson Task Force
www.wmarsontaskforce.gov.uk
West Midlands Fire Service
www.wmfs.net
West Midlands Police
www.west-midlands.police.uk
Wolverhampton City Council
www.wolverhampton.gov.uk
Wychavon District Council
www.wychavon.gov.uk