



Managing Agent Accreditation Scheme

Sefton Council 

Management Code Of Standards

Management Code of Standards

This Code of Standards is accepted by all accredited landlords and agents as the minimum management standards. It does not replace a landlord/agent's legal obligations but will help promote high standards of housing management in Sefton by ensuring tenancy problems are managed effectively, reducing the incidence of crime, anti-social behaviour and harassment and give tenants access to quality housing in Sefton.

It is a requirement of Sefton Council's Accreditation Scheme that the physical condition of dwellings, the level of provision of basic amenities and management practices are fair and reasonable, and not liable to be prejudicial to the health, safety and welfare of tenants or the surrounding neighbourhood.

All properties must comply with current legislation including national and local authority standards and regulations (including Management regulations for HMO's).

Signatories to the Scheme must ensure that in addition to complying with the requirements below, they also comply with their legal requirements and attend local or national development training/events within 12 months of joining the scheme.

Prior to Tenancy

- Accurately report property details and allow prospective tenants to view the property having due regard to the right of existing tenants.
- Ensure property complies to the Minimum Energy Efficiency Standards (M E E S)
- Obtain references from prospective tenant or tenants prior to granting of tenancy.
- Ensure that at the commencement of the tenancy a pre-tenancy check has been completed and that all obligations on the part of the owner in regard to 'Right to Rent' have been met.
- Ensure that at the commencement of tenancy all obligations on the part of the owner in regard to safety checks, repairs and property maintenance or improvements have been fully discharged or will be carried out by a date agreed with the tenant or tenants. Any pre-tenancy repairs or intentions on the part of the landlord to undertake improvements should be confirmed in writing.
- Clearly inform prospective tenants of any fees that may be charged to them during their tenancy in line with The Tenant Fees Act 2019.



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Commencement of Tenancy

Ensure the tenant is supplied with the following information before start of tenancy:

- Copy of the Tenancy Agreement
- Details of the Scheme in which their deposit is lodged and the prescribed information of the scheme.
- Details of your internal complaint's procedure
- Details of the Property Redress Scheme you are a member of
- Copy of Energy Performance Certificate (EPC)
- Copy of current Gas Safety Certificate
- Copy of signed electrical installation condition report (EICR)
- Details of point of contact in case of emergency, including 'out of hours'
- How to rent guide

AND check that:

- Smoke alarms are in accordance with the requirement for the type/layout of property and any system is in full working order.
- A carbon monoxide alarm is fitted and in working order in any room which is used wholly or partly as living accommodation (including a bathroom or toilet) and contains a fixed combustion appliance other than a gas cooker.

Tenancy Agreement

- Provide the tenants with a suitable written tenancy agreement in plain English (or in the case where English is not the first language of the tenant, translate appropriately), in a minimum font size of 12 points, stating the name, telephone number, email address, current registered address of the owner and Agent.
- Where requested, prospective tenants are permitted sufficient time, normally no less than 24 hours, within which to seek independent advice regarding those contractual terms.
- The contract should not contain clauses that conflict with the tenant's legal rights or with the terms of this code of practice.
- Clearly detail what rates, services or other charges are included in the rent and which are not. The Landlord/Agents responsibilities for maintaining these services should also be detailed.
- Include clear written instructions for the payment of rent.
- Include clauses regarding nuisance and anti-social behaviour and the penalties imposed if tenants behave in an anti-social manner.
- Clearly state the grounds for termination of the tenancy and the possession procedure which will follow if the terms of the tenancy are not complied with.



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- Provide details of an emergency contact. The Landlord/Agent must ensure the procedure works in practice.
- Clearly state who is responsible for setting up and payment for utility services for the property (gas/electricity/water/council tax) and ensure that the tenant or tenants know how to get the services transferred/re-connected where necessary.
- Clearly state who is responsible for checking and maintaining smoke/carbon monoxide alarms including, where applicable, the changing of batteries.

Receipts

- Provide a record for all rent payments upon request.
- Receipts must be provided for all cash transactions.

Inventories

- Supply an inventory, indicating the condition of the items where necessary.
- The inventory must be signed by the Agent and countersigned by the tenant once both parties have had an opportunity to check its correctness.
- Agent must decide at the termination of the letting whether all or part of the deposit shall be returned to the tenants, providing full explanation of their decision where deductions are made.

During Tenancy

Repairs

- Emergency repairs are responded to within 48 hours of the defect being reported.
- Urgent repairs completed within 5 days of the defect being reported.
- Non urgent day to day repairs are completed within 28 days of the defect being notified.

Housing Benefits / Universal Credit

- If Housing Benefit/Universal Credit is paid directly to the Landlord and there is an overpayment, then it should be repaid to the appropriate payment authority once they have been notified of the amount due, subject to the Landlords right of appeal.
- Landlords should advise their tenants to keep the appropriate payment authority up to date with any changes in their circumstances. Landlords who are aware of changes must also notify the appropriate payment authority. Landlords should also encourage tenants to return review forms and to be in for notified visits.
- Landlords should promptly advise the appropriate payment authority and the Local Authority Council Tax department when a tenant vacates a property.



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Disputes

- Where disputes arise between you and a tenant your internal complaints procedure should be followed.
- Maintain courteous professional relations with tenants during any dispute.
- Any failure to come to a satisfactory outcome, the tenant should be advised of their right to take the matter to the property redress scheme that you are a member of.

Ending a Tenancy

- Return the deposit within 30 days of the Landlord and tenant agreeing how the deposit should be divided or within 30 days following notification of an ADR/court decision.

Change of Circumstance

Provide details of any change within 14 days which may include:

- Changes to contact information or trading status for the company.
- Any change to the Fit and Proper conduct of the company.
- Details of any enforcement action taken by any Local Housing Authority against you, such as: **prosecution, civil penalty fines, non-compliance of statutory notices or your inclusion on the national database for rogue landlords.**
- Details of any newly managed licensable properties (if a licence is not applied for immediately).
- Details of any licensed properties for which you no longer have a professional interest (you should apply for a revocation of any licence issued).

Business Conduct

As an accredited agent you agree to:

- Behave in a professional, courteous, and fair manner towards tenants and prospective tenants.
- Ensure that in the provision and letting of housing or associated services, no person, or group of persons applying will be treated less favourably than any other person or group of persons because of their age; gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion or belief; sex; or sexual orientation.
- Ensure adequate procedures are in place to check that tenants have the right to be in the UK.
- Adopt the correct procedure for tenancy termination and refrain from any act of harassment or illegal eviction.
- Ensure adequate insurance is in place for property and Landlords furnishings.
- Give adequate notice of entry before inspecting a property, except in the case of an emergency.
- Keep up to date with current housing legislation.



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- Be a member of ARLA, RICS, NALS or NRLA
- Have at least one full-time member of Agents' staff accredited with an appropriate property management award.
- Adopt the correct procedure with regards to HMRC requirements for non-UK resident landlords.
- Be the licence holder for non-UK resident landlords for any of their licensable property that you manage (in the absence of a UK-based alternative landlord appointed representative).
- Co-operate fully with requests from the Council's Housing Standards & Compliance Officers.
- Include clauses regarding nuisance and anti-social behaviour and the penalties imposed if tenants behave in an anti-social manner.
- Clearly state the grounds for termination of the tenancy and the possession procedure which will ensue if the terms of the tenancy are not complied with.

Agreement

I agree to abide by this Code of Standards and understand that my managing agent accreditation status may be revoked if I fail to meet the standards of the Scheme. An appeal process is in place.

Name: _____

(Please print in capital letters)

on behalf of (Agent): _____

Signed: _____ **Date:** _____

Return signed agreement to:

Housing Standards Team
Sefton Council
Ground Floor, Magdalen House
30 Trinity Road
Bootle
L20 3NJ
housing.standards@sefton.gov.uk