

# APPENDIX 1

Talk to us about making renting better- DRAFT

Lewisham Council consultation into extending additional licensing for HMOs and introducing a selective licensing scheme

Consultation Report

Autumn 2019

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## 1. Introduction

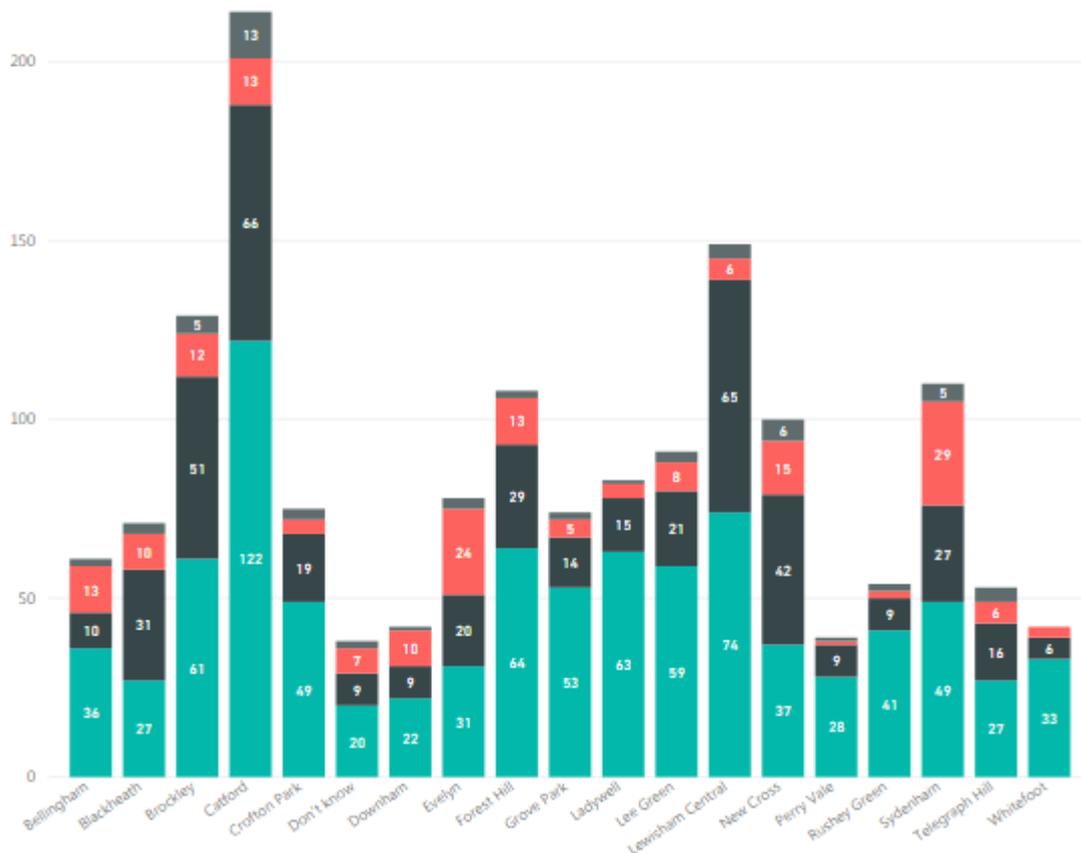
- 1.1. A public consultation considering proposals for both an additional and a selective licensing schemes ran for just over 12 weeks, from 28<sup>th</sup> May to 21<sup>st</sup> August 2019, as required in the Housing Act 2004.
- 1.2. The number of responses to the consultation has been high at 1,831. Analysing the responses will therefore take some time and this is particularly true of the free text comments. 8 questions offered respondents the opportunity of providing comments. This has resulted into thousands of comments to analyse, specifically 6,292. This report is therefore a work in progress, and the Council's responses is still being developed.
- 1.3. The free text responses provided in this report have been provided based on random sampling of 10% of all responses to each question.

## 2. Consultation participants

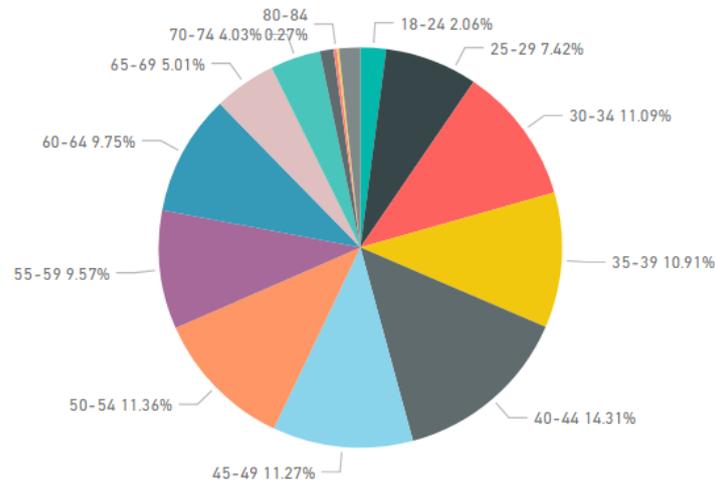
- 2.1. 88% of respondents live in Lewisham borough. Of these, 56% were homeowners, 29% were private housing tenants and 11% were social housing tenants.
- 2.2. The chart below shows the distribution of responses by Ward and tenure type. There were notably large responses from those in Catford and fewer responses from those in Downham, Perry Vale and Whitefoot. We identified early in the consultation that fewer responses were coming in from some wards and sought to address this as detailed in section 1.6.

Ward for borough residents

If you live in the London Borough of Lewis... ● I am a homeowner ● I am a private housing tenant ● I am a social housing tenant ● Other



- 2.3. Analysis has been undertaken for those responses where individuals gave consent for their personal data to be used and answered the questions regarding their age, sex, ethnicity and sexual orientation.
- 2.4. The age of respondents was broadly evenly spread across the age groups. We identified early on that fewer responses were received from the 18-24 age group and sought to address this as detailed in section 1.6.



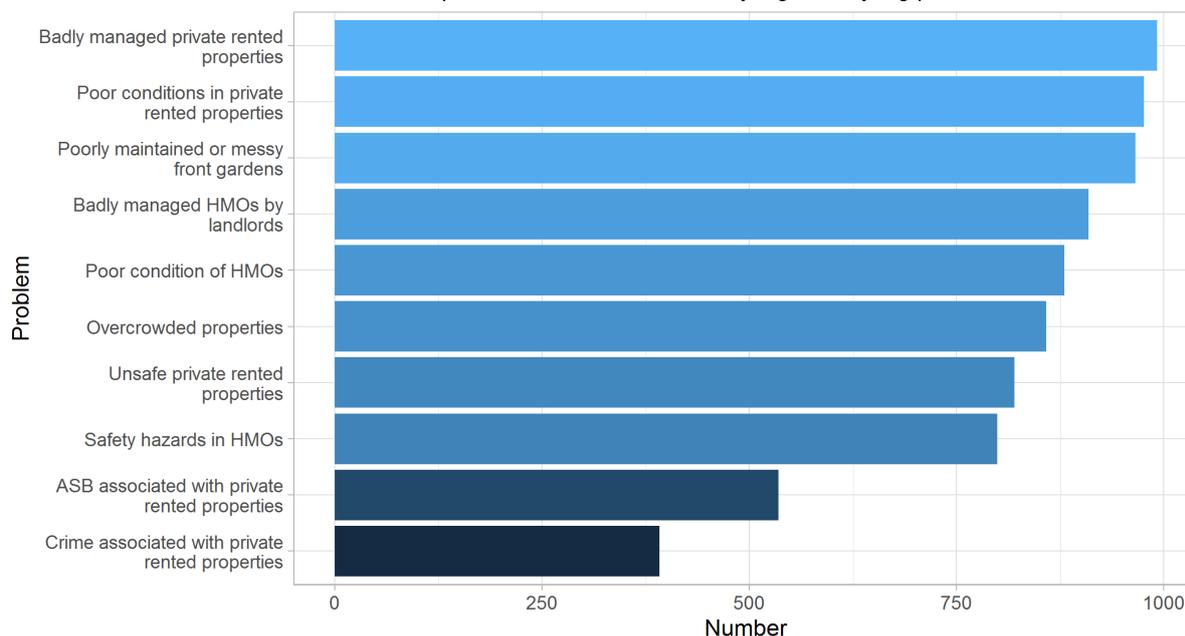
- 2.5. 75% of those responding to the question and giving consent for their personal data to be used, reported their ethnicity as either white British, white Irish or white other. We identified a low level of responses from BAME communities early on during the consultation period and put in place a number of measures to address these. As detailed in section 1.6.
- 2.6. 54% responded that their sex was female and 43% male, 3% preferred not to say and 1% selected other.
- 2.7. 76% stated their sexual orientation was straight, with 8% responding gay/lesbian and 4% responding bisexual. 10% preferred not to say.

### 3. Private renting in Lewisham

- 3.1. The below chart shows the extent to which respondents thought particular issues affected privately rented properties in Lewisham:

How much of a problem do you think each of the following is in the London Borough of Lewisham?

Number of respondents who selected a very big or fairly big problem



- 3.2. There was a similar response to the perception of problems associated with bad management, poor conditions, poorly maintained or messy front gardens, overcrowding and unsafe properties. ASB and crime associated with private rental properties were considered less of a problem.
- 3.3. Analysis of the free text comments provided to the question ‘What measures could be put in place to support landlords to address nuisance and antisocial behaviour connected to their privately rented properties?’ has been undertaken and the comments grouped into commonly occurring themes. Example comments from these themes are shown below.

Are landlords doing enough to address nuisance and antisocial behaviour connected to their privately rented properties? - If you selected 'No', what measures could be put in place to support landlords to address nuisance and antisocial behaviour connected to their privately rented properties?	
Theme	Example comment(s)
Penalise the landlord	<i>“Final responsibility must lie with the landlord. If they are given warnings, landlords should be fined if antisocial behaviour in their property continues. It must be possible for landlords to evict tenants that have had a specific number of council warnings.”</i>
Penalise the tenants	<i>“Put clauses in their written tenancy agreements that outline the consequences of such behaviour e.g. no deposit return or eviction.”</i>
More council support	<i>“There should be legally enforceable guidelines that are the same for every landlord so they can deal with tenants in this situation knowing they have the full support of the council and the law. This also means tenants causing this problem will know of what will happen to them as a result of their actions.”</i>
Not the landlord’s responsibility	<i>“It is up to Lewisham council and the police to deal with antisocial behaviour.”</i>

Landlords need to enable good behaviour – e.g. communicate what needs to be done and provide enough bins	<i>“Make sure the properties are looked after and in good repair. Make sure tenants have what they need to live as a good member of the community. Bins, etc.”</i>
Better communication channels across the community	<i>“Co-ordinated responses from local authority, police and landlords.”</i>

<b>What else can we do to make sure landlords are held accountable for their properties and treatment of tenants? - What else can Lewisham Council do?</b>	
<b>Theme</b>	<b>Comments</b>
Impose penalties on landlords who mistreat tenants	<i>“Heavy fines are probably the best way to make sure landlords maintain their properties properly and treat their tenants fairly.”</i>
There are already rules in place	<i>“Current legislations are adequate e.g. the tenants can complain to the council and the landlord is unable to evict a tenant for making a complaint. The tenant can also take landlord through small claims court in addition to reporting them to environmental health. Citizen advice bureau can help tenants navigate their options which there are plenty of.”</i>
Carry out regular inspections of properties	<i>“Carrying out unannounced / spot checks on licences property to ensure they are up the standards required in their licensing agreement.”</i>
Ensure there is a clear reporting line for tenants and any complaints are followed up	<i>“Provide support and guidance for tenants e.g. standard contracts, a website with details of tenants rights (in plain English) or walk-in clinics (perhaps run with support from local law firms or Citizens Advice).”</i>
Support landlords too	<i>“The question is also what additional support can landlords get if they get bad tenants who destroy their properties and give bad attitude etc.”</i>

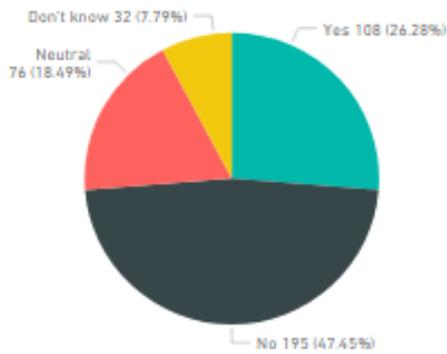
3.4. These comments and suggestions are being taken into consideration to formulate the council’s proposals for administering and facilitating the proposed additional and selective licensing schemes. Further detail will be provided in the final version of this report.

#### 4. **Additional licensing – detailed findings**

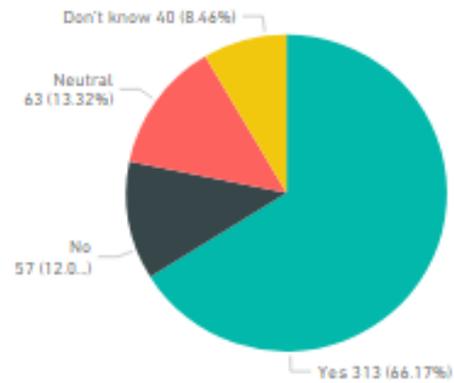
4.1. There was significant support amongst respondents for extending additional HMO licensing, with 61% of all respondents supporting the proposals, and 63% of borough residents in support.

4.2. The below charts show how the support differs for those who are private landlords (26% supporting and 47% opposing) and those who are private tenants (66% supporting and 12% opposing), with many more tenants supporting the proposals than landlords.

HMO support from private landlords



HMO support from private tenants



4.3. 63% of borough residents across all wards were supportive of extending additional HMO licensing. All wards showed more than 50% of respondents supporting the proposals and some wards had as many as 79% of respondents in support.

	Yes	No	Neutral	Don't know
Bellingham	64%	15%	5%	16%
Blackheath	62%	18%	13%	7%
Brockley	61%	19%	16%	5%
Catford	53%	25%	11%	10%
Crofton Park	79%	9%	4%	8%
Don't know	63%	16%	11%	11%
Downham	57%	31%	10%	2%
Evelyn	56%	24%	12%	8%
Forest Hill	56%	24%	14%	6%
Grove Park	58%	19%	15%	8%
Ladywell	76%	18%	5%	1%
Lee Green	62%	18%	18%	3%
Lewisham Central	62%	20%	12%	5%
New Cross	56%	22%	16%	6%
Perry Vale	77%	5%	13%	5%
Rushey Green	67%	24%	6%	4%
Sydenham	63%	17%	10%	10%
Telegraph Hill	79%	4%	15%	2%
Whitefoot	76%	12%	10%	2%

4.4. The below word clouds sum up the words featuring most frequently for those who commented on their support (left) and objection (right) to extending HMO licensing.



4.6. Analysis of the free text comments provided to the question ‘Do you support proposals to extend HMO licensing to cover all HMOs across the borough? - What are your reasons for this choice?’ has been undertaken and the comments grouped into commonly occurring themes. Example comments from these themes are shown below. The Council’s response to comments is included in section 11 of this report.

<b>Do you support proposals to extend HMO licensing to cover all HMOs across the borough? - What are your reasons for this choice?</b>	
<b>Theme</b>	<b>Example comment(s)</b>
<b>Comments in support</b>	
It will make landlords responsible and hold them to account	<i>“Private landlords need to be accountable to someone. The condition and safety of their properties needs to be monitored. Private renters need the protection that a licensing scheme would bring.”</i>
	<i>“The more the regulations and checks - provided these can be enforced - the more that owners/landlords will understand their responsibilities and not just the financial gains. Whilst some tenants can be accused of anti-social behaviour etc, they are often subject to high rents, short term leases and less than adequate conditions. They are not encouraged to feel that they are part of the community and are not advised how refuse is collected etc. All too frequently, owners/landlords are unaware of these provisions themselves as they live/work far away.”</i>
It will have a positive impact to the local area (e.g. better maintained houses and gardens)	<i>“I think that there are many properties that are badly maintained on the outside and look poorly maintained on the inside. There looks to be overcrowding and tenants are unfairly served by unscrupulous landlords which tarnishes the image of responsible landlords.”</i>
It will deter bad landlords and promote better living standards (e.g. regarding safety and overcrowding)	<i>“Experience of living near some makes me think that poor housing stock leased to people who have people who have no choice but to rent from poor quality landlords makes for a solution unsatisfactory for all, whether that is risks to the tenants themselves or the level of nuisance/ crime to their neighbours.”</i>
	<i>“I’m a landlord at the moment. It is very easy to start to rent out a property and very easy to provide a property that isn’t up to fire or basic living standards. So I’d support an improvement in this area through licensing. I’d prefer it to be nationwide rather than borough by borough though.”</i>
Licensing will help tenants who are too scared to report issues	<i>“I work as a community nurse and visit lots of HMOs in Lewisham- the majority I visit are poorly maintained and converted in an unsafe way. A licence will enable monitoring and enforcement of good conditions. I often report poor home conditions to environmental health but tenants are too scared to let them in for fear of being evicted. Compulsory licensing will enable monitoring and enforcement of good conditions.”</i>
Licensing will bring benefits to everyone	<i>“There is evidence that landlords of HMOs do not always maintain their properties to a decent standard and that there are other problems associated with the HMO sector, such as overcrowding, antisocial behaviour, health and safety issues etc. By licensing HMOs the Council has a means to enforce standards,</i>

	<i>i.e. failure to comply with the terms of the licence can mean the licence is revoked. If landlords are licensed they are more easily traceable, as traceability of landlords can be an issue when it comes to enforcement. The revenue from the licences would presumably go towards the cost of enforcement and administration. As homelessness and bad housing are a cost to us all (e.g. the link between poor housing and poor health is well-established) improving standards in the HMO sector this way would not only be socially and morally right for the Council, it would demonstrate value for money to everyone else in the Borough."</i>
Positive experience in other boroughs	<i>"I saw a very positive benefit in the London Borough of Newham, although initially resisted by private landlords, they were eventually won around as they saw the positives benefits for themselves as well as residents. The knock on benefits are felt by neighbours and the Borough as a whole."</i>
Licensing will improve living conditions for vulnerable residents	<i>"HMOs are an important part of the overall rental market, providing essential lower cost private rented accommodation to those for whom that is appropriate, however they are also the most vulnerable to poor, abusive or criminal landlords. Further, the dereliction of the properties allowed by such landlords worsens the overall environment for all other residents in the area (rubbish in gardens etc etc) and contributes to an atmosphere that encourages fly-tipping, anti-social behaviour etc. Introducing proper licensing will go a long way to improving the living conditions for some of Lewisham's most vulnerable residents - so long as it is effectively enforced."</i>
<b>Comments in opposition</b>	
It will deter/penalise good landlords, reduce stock and increase rents	<i>"The additional licensing cost will deter landlords from renting out their properties causing the housing shortage a bigger problem. Rents will increase due to loss of additional tenant income."</i>
There are already adequate regulations in place which need to be enforced	<i>"The council already has enforcement powers granted to them under the Housing and Planning Act 2016, and so should make full use of these powers rather than introducing a licensing scheme on top of these powers."</i>
This is an exercise for the council to get more money	<i>"I feel it is another money making scheme for the council"</i>
The Council should focus on their own stock first	<i>"I think Lewisham Council need to really set a standard for their own rented accommodations in all of categories listed in the survey I stead of pointing fingers elsewhere. Once this is done and has effectively been done, then licensing may be considered for HMOs."</i>
The problems are a result of the shortages of social housing	<i>"HMO gets a bad rap. If there wasn't a shortage of social housing there wouldn't be a need for it. Had the councils not sold off their assets we wouldn't be in this position. If the government and councils did what they claimed and built affordable social housing, there wouldn't be a reliance on the private sector. Sort out social housing and make them safe before coming after the private sector landlords as a way of making money!"</i>

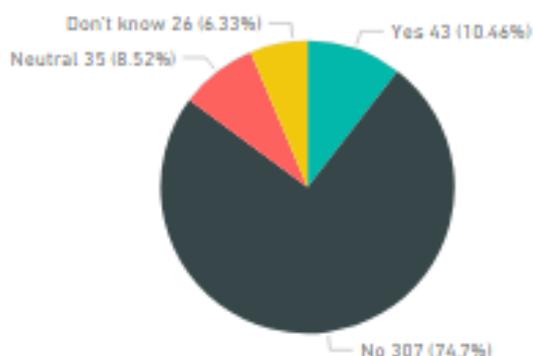
Evidence base is not strong enough	<i>"The lack of evidence in the supporting documentation, and my wider knowledge of these schemes in other parts of the country. They tend to be bureaucratic exercises that do not focus on selective enforcement which is the key to dealing with the small number of non-compliant landlords. While the supporting consultation documents set out some interesting analysis, the evidence is neither robust nor conclusive. The documents identify some correlations and strong relationships - that is not the same as cause AND effect."</i>
Licensing will reduce the availability of low cost housing	<i>"People who live in HMOs are at the bottom-end of the housing market, doing the most poorly-paid jobs. Increasing rent and reducing supply isn't helping them. If they can't afford to live here, they will move out of London. Then there will be no-one doing those bottom-end of the market - the bin men, the hospital porters, the sales assistants, the catering workers - or they'll be doing it, but not in London."</i>
Licensing will result in properties being left empty	<i>"If you make it harder for landlords to rent properties they will stop letting properties and sell to someone else or leave them empty until the value goes up - I know because I am a landlord in another borough and the rules and regulations are now so tight and compliance so expensive and some (not all) tenants cause so much damage that its often cheaper leaving them empty than letting them."</i>
How will the council target the bad landlords?	<i>"Learnt from my own direct experience of the extension of HMOs in Oct 2018 what will happen is that the good landlords such as myself who provide good accommodation will get licensed, the bad ones of which I know some just won't bother. Lewisham council does not proactively seek out unlicensed HMOs so the risk of getting caught if you don't license is negligible."</i>

## 5. Selective licensing – detailed findings

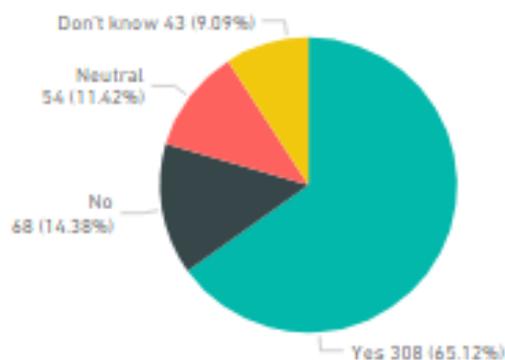
5.1. There was support amongst respondents for introducing selective licensing, with 53% of all respondents supporting the proposals, and 55% of borough residents in support.

5.2. The below charts show how the support differs for those who are private landlords and those who are private tenants, with many more tenants supporting the proposals than landlords.

Selective support from private landlords



Selective support from private tenants



5.3. 55% of borough residents across all wards were supportive of introducing selective licensing. The majority of wards showed support with more than 50% of respondents supporting the

proposals, with the remainder not supporting, being neutral or didn't know. The wards with less than 50% support for selective licensing were Forest Hill and Lee Green.

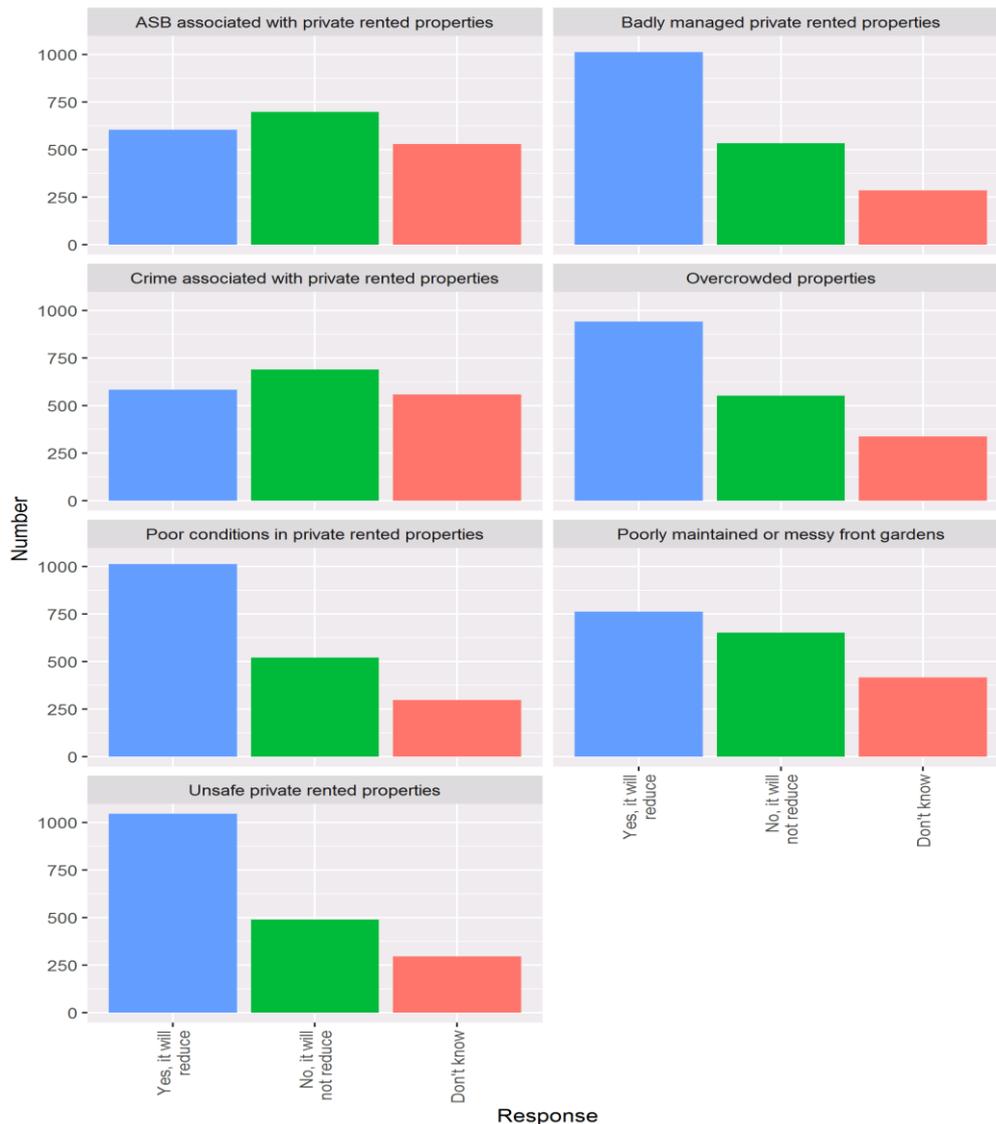
	Yes	No	Neutral	Don't know
Bellingham	54%	25%	10%	11%
Blackheath	61%	30%	3%	7%
Brockley	59%	26%	9%	7%
Catford	54%	28%	9%	9%
Crofton Park	59%	21%	9%	11%
Don't know	50%	32%	8%	11%
Downham	55%	33%	7%	5%
Evelyn	53%	32%	5%	10%
Forest Hill	43%	38%	9%	10%
Grove Park	54%	34%	8%	4%
Ladywell	61%	24%	8%	6%
Lee Green	48%	29%	10%	13%
Lewisham Central	51%	29%	9%	11%
New Cross	52%	28%	13%	7%
Perry Vale	64%	18%	15%	3%
Rushey Green	57%	24%	15%	4%
Sydenham	59%	25%	6%	10%
Telegraph Hill	70%	13%	9%	8%
Whitefoot	76%	17%	5%	2%

5.4. The below word clouds sum up the words featuring most frequently for those who commented on their support (left) and objection (right) to introducing selective licensing.



5.5. The majority of respondents thought selective licensing would reduce bad management, overcrowding, unsafe conditions, poor conditions and poorly maintained or messy front gardens in privately rented properties, and would not reduce crime or ASB associated with privately rented properties (see chart below).

Do you believe that a borough wide selective licensing scheme will reduce the problems listed below?



5.6. Analysis of the free text comments provided to the question ‘Do you support proposals to introduce selective licensing to cover all privately rented properties across the borough? - What are your reasons for this choice?’ has been undertaken and the comments grouped into commonly occurring themes. Example comments from these themes are shown below.

Do you support proposals to introduce selective licensing to cover all privately rented properties across the borough? - What are your reasons for this choice?	
Theme	Example comment(s)
<b>Comments in support</b>	
There will be better regulation of landlords and help for renters	<i>“I have met many neighbours who have been treated appallingly by landlords — who leave families in horrific conditions and usually too afraid to complain for fear of being made homeless. It would be wonderful to have a licensing scheme that protects vulnerable renters and allows rogue landlords to be prosecuted and held to account.”</i>

	<i>"I have experienced a 'rogue' landlord. Ready to take the money from the poor tenants subjected to living in sub-standard conditions, being dictated to by his every whim, thereby creating yet more anxiety in these people's lives. Because he doesn't live in that property, he shows total utter contempt to neighbours who have to stand by and watch a "rogue" landlord getting rich on the misery of so many."</i>
It will improve conditions and prevent poor health for tenants	<i>"Although less pressing than HMO licensing, I believe that a proper system of private rental licensing is vital. For too long landlords have been getting away with poor quality housing and poor service and this will help to rebalance the situation."</i>
	<i>"Landlords should be regulated closely to ensure accommodation is suitable, particularly when there are babies and children sleeping in bedrooms with black damp across the walls. The children get ill, parents become depressed. They don't feel part of a community and feel nobody cares about them. It is difficult to feel valued and make a positive contribution when you live in very poor conditions."</i>
It will help improve local neighbourhoods	<i>"I think it will improve anti-social behaviour such as poorly maintained front gardens and not sorting rubbish. I used to rent out my property and would not mind paying this."</i>
Fair to treat rented properties consistently	<i>"While HMOs are most in need of intervention of this kind, it makes sense to extend the regime to all rented properties to prevent unscrupulous landlords attempting to bypass the HMO licensing scheme. It also makes sense that we should be thinking about all rental property in the same way and treating them consistently in terms of safety, tenant behaviour, landlord obligations etc whether they are six people living separately or a family of six."</i>
Need to address absentee landlords	<i>"This should address to the issue of 'absentee landlords', which can be individuals as well as companies: having an offshore based company as a landlord can be a be a nightmare. In such cases, the license should be granted only if the absentee landlord can show he has given the management to a reputable estate agent or management company, based in the UK and preferably locally."</i>
Need to ensure enforcement activities are carried out	<i>"I would be 100% in favour of improving conditions for people in private rental properties. I am well aware of how it can be run by ruthless landlords. But I would equally hate to see the legislation being ignored because people know it can't be enforced."</i>
<b>Comments in opposition</b>	
It will not deter bad landlords	<i>"I believe that introducing this would not alleviate the problem. Bad Landlords will find ways/loopholes to get around what they are required to do."</i>
This is money making exercise	<i>"This appears to be another money making scheme in the downloads no mention of more employees to deal with this new coverage or funds going into social housing stock."</i>
This is only necessary for HMOs, there is already too much regulation	<i>"There is no justifiable reason to extend this scheme to all privately rented properties. The extension of this scheme is focusing on a part of the renting sector that has no problems. HMOs are particularly bad because of the number of people in one residence and the potential vulnerability of those people, but non-HMOs do</i>

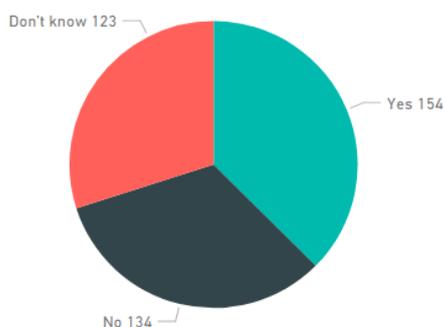
	<p><i>not have this problem. Imposing these costs on every other private rented property is unjustified and over the top."</i></p> <p><i>"Most small privately rented properties are well done by small landlords. These landlords want to maintain their properties well and assist their tenants. The council need to concentrate on the worst HMOs in the area and tackle this problem. We have small enough resources as it is without spreading them to cover all rented properties. Stick with uncovering and correcting the worst HMOs."</i></p>
It will deter/penalise good landlords, reduce stock and increase rents	<p><i>"Majority of privately rented properties are not in poor or unsafe condition. Selective licensing should be targeted in certain areas of the borough where there is proven a greater incidence of housing problems. With other legislative changes more landlords will either leave the market or increase rents to cover the costs of licence fees."</i></p> <p><i>"As a landlord it is already becoming impossible to make a profit from renting properties due to increased fees and taxation. Adding more fees and paperwork to this will just push more landlords away and leave less houses available for private rental. I have always been a good and diligent landlord and this additional administration would probably trigger the end to my role as a landlord."</i></p>
The council should focus on their own stock first	<i>"I believe that looking at the standard of privately rented properties alone and not looking at council and housing association properties is not fair. The standards of these other rented properties and the associated antisocial behaviour and criminality are often far worse."</i>
The council should not be involved in short term letting arrangements	<i>"I rent out a room in my house occasionally and don't see a need to pay for a licence or for the borough to get involved. I have had no problems with my tenants and my tenants have caused no problems to anyone while renting."</i>
Query the evidence and the Council's motivations	<i>"LBL have not provided the research that this consultation has been based on. It seems that this be an exercise in getting rid of undesirable, instead of offering some sort of help. I need to see why this consultation came about in the first place, I mean, how many in the Borough have complained and what was the outcome of the complaints investigated, as the questions that have been asked seem to be based on complaints and not the outcome of investigations. There needs to be some balance."</i>
Landlords will not rent to families with children	<i>"This is highly discriminating to tenants. If I live in a block of flats of owner occupiers- if my family make a noise (normal behaviour of children playing etc.) my neighbours could make a complaint about the noise, (they have done so in the past) which my landlord would have to be shown to be "doing something", while I would not have this recourse to my neighbours noise who are owner occupiers. We would be considered as second class citizens. This would increase prejudice to renting out to families, especially families with teenagers and young children. This will also fuel letting agents/ landlords prejudice against already disadvantaged groups BAME, working class professionals and families."</i>

Will not be successful without well-resourced enforcement measures	<i>"I am aware of schemes in other boroughs that are merely administrative and fine landlords for failing to register as opposed to actually inspecting properties to look at the individual hazards and getting the properties improved."</i>
	<i>"None of the above will work because it would take too many officers to enforce the laws. Needs more officers to make a significant difference as you need to be on the case regularly to have any affect."</i>

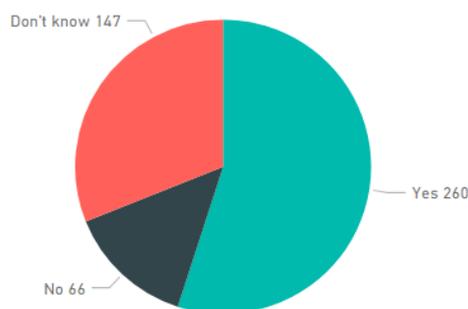
## 6. Licence conditions

6.1. 50% of all respondents found the licence conditions to be clear and understandable, compared with 18% who did not. The charts below show the results split by Lewisham landlords and tenants. 37% of landlords and 55% of tenants found them to be clear and understandable.

Landlord response to clear and understandable conditions



Private tenant response to clear and understandable conditions



6.2. Analysis of the free text comments provided to the question 'Do you think that the proposed licence conditions are sufficiently clear and understandable? - If you selected 'No', please state which conditions are not clear, and why?' has been undertaken and the comments grouped into commonly occurring themes. Example comments from these themes are shown below. The Council's response to comments is included in section 11 of this report.

<b>Do you think that the proposed licence conditions are sufficiently clear and understandable? - If you selected 'No', please state which conditions are not clear, and why?</b>	
<b>Theme</b>	<b>Example comments</b>
Clarity needed for different types of rental.	<i>"Not clear if this would apply to people with lodgers."</i>
Property rented out for less than 5 years?	<i>"What if someone only wants to rent their home for a year or two? working abroad for example. They shouldn't have to pay for 5 years."</i>
Impact of tenants behaviour	<i>"It does not make clear how a licence enables a landlord to deal with unruly tenants."</i>
Dealing with ASB	<i>"How would landlords be expected to deal with anti-social behaviour without putting themselves at risk and/or breaking rules around evictions?"</i>
Use of fees	<i>"You have not listed where the money will go in clear detail. It should be specific and to the £1.00 what everyone licence will cover and what it will be used for and there needs to be accountability if not done as stated."</i>

Clarification	<i>"Restrictions or prohibition on the use or occupation of particular parts of the house."</i>
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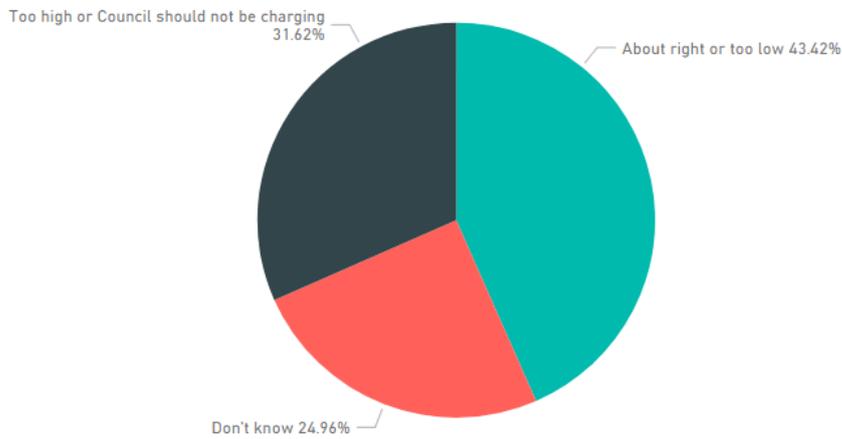
<b>Do you think that any of the proposed licence conditions should not be included? - If you selected 'Yes', please state which conditions should not be included and why?</b>	
<b>Theme</b>	<b>Example comments</b>
References	<i>"A requirement that the licence holder gets references from persons wishing to occupy the house" - this unfairly punishes a whole range of people, who are nearly always going to be at the low-income end of the housing market, such as students, first-time renters, immigrants, ex-offenders ."</i>
A requirement for the landlord to take reasonable steps to prevent antisocial behaviour by occupiers or visitors.	<i>"Landlords should not be wholly responsible for antisocial behaviour of their tenants. Landlords do not generally live on the premises and they are "prisoners" to their tenant's honesty regarding how they behave and any visitors to the premises. Tenants generally agree to behave within reason and be respectful of their neighbours. If they do not do this then Landlords should have recourse to give a warning and if this warning is not adhered to then they should be helped to remove that tenant from causing a nuisance to others."</i>
Definition of fit and proper person	<i>"Fit and proper person' - Who is to judge? A local magistrate?"</i>
Safety checks	<i>"Landlords already have legal obligations concerning gas-safety, electrical safety, provision of EPCs, referencing (right to rent checks) and the like. Unless Lewisham proposes to actively inspect all rented properties annually, then the proposed licence is merely an additional cost for competent landlords, while less the competent will still get away with being non-compliant for periods of time. I would suggest that if the council feels compelled to enforce the above (which are already enforceable without a licensing scheme), an easy portal where all landlords can upload and display these would be appropriate."</i>

6.3. These comments and suggestions have been taken into consideration when formulating the council's proposals for the licensing conditions. Further detail will be provided in the final version of the report.

## **7. Licensing fees**

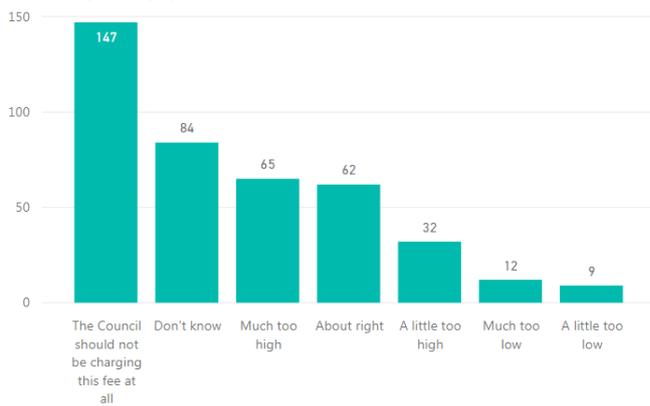
7.1. In general, respondents were supportive of the fees proposed by the Council for granting HMO licences, with more respondents indicating the fees are about right or too low, compared to those thinking they are too high or that the Council should not be charging a fee.

HMO fees - all respondents

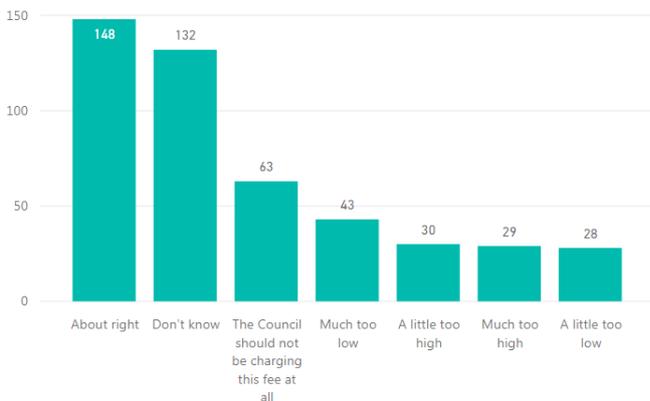


7.2. The below charts show the responses split by landlord and tenant. Most landlords thought the council should not be charging a fee at all while most private tenants thought it was about right.

Landlord response to proposed fee levels for HMO licenses

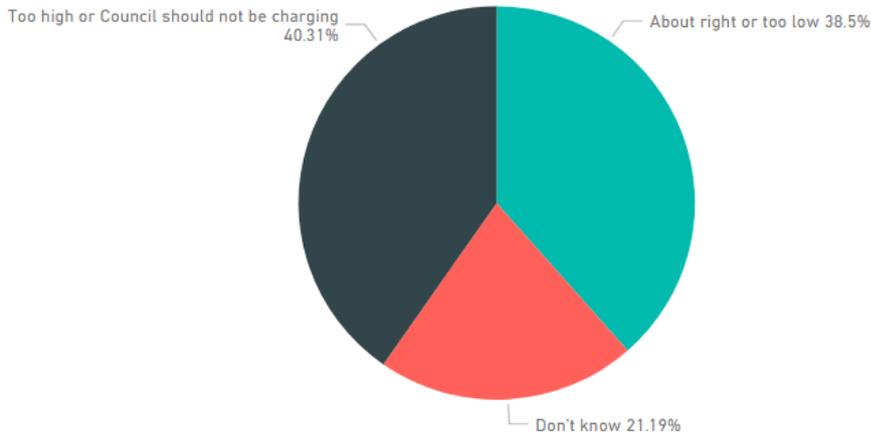


Private tenant response to proposed fee levels for HMO licenses



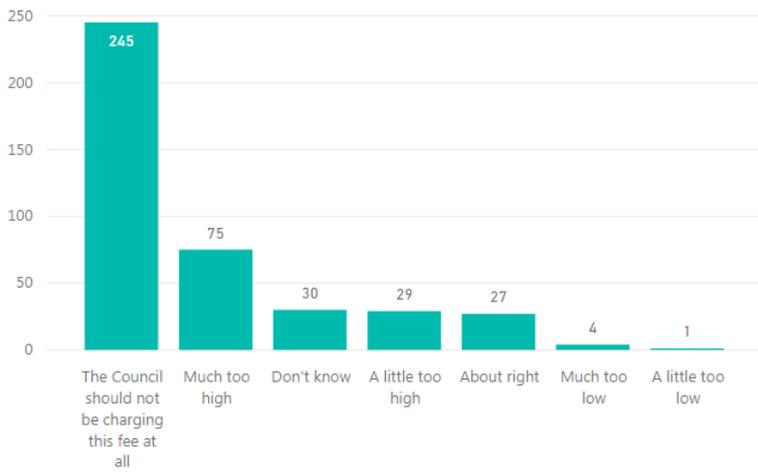
7.3. The support from respondents for the proposed selective licensing fees (those who think they are about right or too low) is slightly lower than the number who oppose the fees or think they are too high.

Selective fees - all respondents

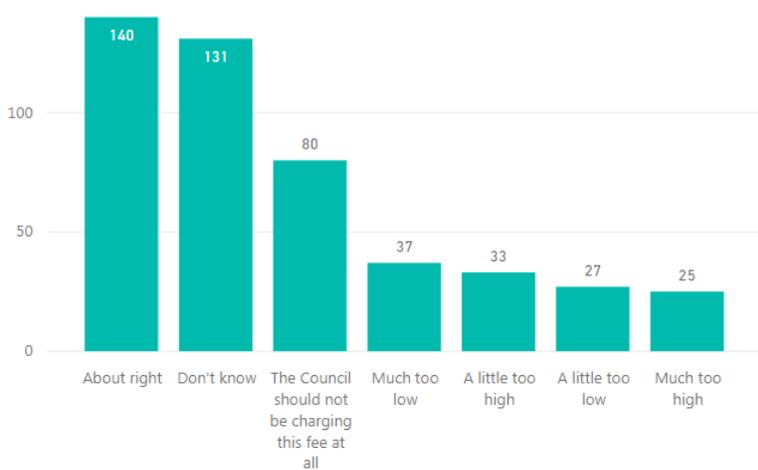


7.4. The below charts show the responses split by landlord and tenant. The majority of landlords thought the council should not be charging a fee at all while most private tenants thought it was about right.

Landlord response to proposed fee levels for selective licensing



Private tenant response to proposed fee levels for selective licensing



7.5. Analysis of the free text comments provided to the question ‘What do you think about the proposed fee levels? - If you have selected 'too low' or 'too high', what are your reasons?’ has been undertaken and the comments grouped into commonly occurring themes. Example comments from these themes are shown below, alongside the Council’s response.

<b>What do you think about the proposed fee levels? - If you have selected 'too low' or 'too high', what are your reasons?</b>	
<b>Theme</b>	<b>Example comments</b>
Too low, the licence needs to be enforced well	<i>“Providing a home for tenants is a serious responsibility, and proper enforcement, that involves frequent inspections will have a cost. It is essential the fees are high enough to cover this enforcement.”</i>
Too low, the income generated from renting is very high	<i>“Disproportionate to the profit margins landlords are gaining from the service they provide, which in many cases is unsatisfactory.”</i>
Too high, the cost will be passed on to tenants	<i>“Costs will inevitably be passed on to tenants by most landlords increasing problems of affordability.”</i>
Too high, the fee is not in line with other boroughs and needs to be justified	<i>“It is not comparable with other boroughs and is disproportionately high.”</i>
Too high, the cost will deter landlords and decrease stock	<i>“Increasing costs for landlords will reduce the number of properties and landlords in the borough.”</i>
Too high, it is a way for the council to supplement their budget	<i>“It’s seen by many as an easy fund raiser for the council at a time when the council is strapped for cash.”</i>

<b>Do you think that the proposals detailed below are fair? - If you have selected 'Unfair' then what are your reasons?</b>	
<b>Theme</b>	<b>Example comments</b>
Unfair to penalise good landlords who do not belong to a landlord accreditation scheme (e.g. those with one property)	<i>“Why should being a membership of another scheme be an advantage for some landlords over others who may not see the benefits of being in that group?”</i>
Unfair to base fee on outdated council tax bands	<i>“Council tax bands were set many years ago, so there is a question as to whether or not they provide a helpful baseline.”</i>
Unfair to offer an early bird discount	<i>“I don't see why landlords should get a 20% reduction for applying early. I don't get a 20% reduction in my rent for paying it early to my landlord.”</i>
Unfair to implement a fee	<i>“A fee should not be charged as this could lead to private landlords selling up, leaving more of a housing short fall and more illegal HMO's.”</i>

7.6. These comments and suggestions are being taken into consideration when formulating the council’s proposals for the licensing fees. Further detail will be provided in the final version of the report.

## 8. Consultation responses sent in by letter

- 8.1. The National Landlord Association, the Residential Landlord Association and Safe Agent have sent in separate responses to the consultation by letter. These letters have been appended to this report.
- 8.2. The detailed responses sent by individuals to [betterrenting@lewisham.gov.uk](mailto:betterrenting@lewisham.gov.uk) have also been analysed and their comments and themes have been incorporated throughout the report

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