

# Code of Conduct for **Accredited Landlords**



North  
Tyneside  
Council



**ACCREDITED  
LANDLORD**  
NORTH TYNESIDE COUNCIL

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## What is landlord accreditation

**Landlord accreditation is a voluntary scheme that landlords and their managing agents can participate in to demonstrate their commitment to maintaining high standards within the private rented sector across North Tyneside.**

Although managing agents can participate on behalf of landlords, managing agents can only become accredited in their own right, if the agent or the registered company owns and rents residential property within North Tyneside.

The scheme will look to assist landlords to comply with the statutory requirements relating to privately rented property. However, the scheme does not place any additional burdens upon landlords, beyond what they are already required to do by law.

The purpose of property accreditation is to promote responsible and professional practices to landlords, improve housing standards, protect the rights and well-being of tenants and to recognise the valuable contribution that private sector landlords deliver to the Borough.

Landlords who join our accreditation scheme agree to satisfy specific criteria and standards, which include:

- Compliance with legal and safety requirements: landlords agree to ensure that their properties meet all legal and safety standards



such as having valid gas safety certificates, electrical safety checks, and complying with fire safety regulations

- Property condition and maintenance: landlords agree to maintain their properties in good condition and promptly address any repair or maintenance issues that may arise during the tenancy
- Tenancy management: landlords agree to manage tenancies fairly and responsibly, respecting the rights and privacy of their tenants and promptly responding to any concerns or issues raised
- Training and education: landlords must agree to maintain and enhance their knowledge and understanding of their legal responsibilities and of best practices

By participating in property accreditation, landlords gain recognition for their commitment to providing quality housing, landlords are entitled to scheme benefits (as outlined in this document) and will have access to resources and support from North Tyneside Council, affording them a competitive edge in the rental market.

## How the scheme works

The North Tyneside accreditation scheme is a property-based scheme that requires the presentation of statutory documentation relating to the property and includes a property assessment.

In deciding whether a landlord can become accredited the scheme considers three elements:

- The property
- The way the property is managed
- The person(s) or agent managing the property

This Code of Conduct provides details of what the landlord would be expected to comply with in terms of property standards and in respect of their own competence and professionalism. We appreciate that each property is different, and you may be unsure if accreditation is for you, however if you have any queries, please do not hesitate to contact our helpful private sector housing team for advice.



## How do I join the scheme

- Complete and return the landlord accreditation application form
- Provide a current satisfactory gas safety certificate (CP12) if there are any gas appliances in the property
- Provide a current valid energy performance certificate (EPC)  
If you are unsure if the property has energy performance certification, you can check [here](#) or visit the Council website
- Provide a current satisfactory electrical safety certificate (EICR)
- Provide a copy of the landlord/building insurance policy
- Arrange a property visit

As part of the application process, you may be requested to provide additional information relating to the property, dependent upon the specific nature of the property, for instance if it is a licensed Houses in Multiple Occupation (HMO) property.

## Houses in Multiple Occupation (HMO's)

Landlords operating HMO's are eligible to apply for accreditation.

## What else do I need to know about the accreditation scheme

- Accreditation status lasts for five years, with annual reviews
- Accredited landlords and properties will be published to the Councils accredited landlord public register with the permission of the landlord
- Accreditation for a particular property is only valid for the landlord making the application and cannot be transferred to another property or to another landlord, for instance if the property changes ownership
- Landlords will be eligible for any scheme benefits whilst they remain accredited under the scheme
- A landlord may remove a property from the scheme at any time, by making a written request to the Council
- Any complaints made to the Council regarding the condition of a property or relating to any property management or tenancy issue will be investigated in line with the agreed Code of Conduct and the standard Council procedures
- Failure to comply with the terms of the Code of Conduct may result in the property and the landlord being removed from the scheme
- During the five-year term of accreditation, the private sector housing team will engage with the tenant on an annual basis and, where appropriate, may undertake interim property inspections
- The tenant will be made aware that the landlord has accreditation with North Tyneside Council and the tenant will receive a scheme information leaflet from the private sector housing team

## **What are the benefits of the accreditation scheme**

- Free or discounted membership of the National Residential Landlords Association (NRLA)
- Free training, workshops, and educational materials on topics such as landlord responsibilities, tenancy management and legal requirements
- Discounts on a range of products and services sourced through our scheme partners
- A scheme membership logo to place in the window of the property and to use on business stationary
- Inclusion to the Councils accreditation website
- Property advertising via the North Tyneside homefinder service
- Support and advice on managing rental property
- Access to an online library for useful documents such as tenancy agreements and notices
- A dedicated telephone advice and assistance line for enquiries from accredited landlords
- The scheme offers an opportunity for landlords to demonstrate their professionalism and commitment to maintaining high standards and providing quality rental properties and this can enhance the landlords reputation among tenants
- Accredited landlords will have a competitive advantage in the rental market as tenants often prefer to rent from landlords who have met specific standards and best practices promoted by the Council

## Accreditation standards

Property standards for accreditation refer to the specific requirements that a landlord must meet. These standards encompass various aspects of the property's condition, including safety and management, whilst aiming to ensure that the property is of a high-quality and is legally compliant.

Property standards for accreditation may cover areas such as disrepair, electrical and gas safety, fire safety, heating and insulation, ventilation, security and general property maintenance.

The property must also be free from 'category one' hazards as defined under the Housing Act 2004 and the Housing Health and Safety Rating System (HHSRS).

More information on the Housing Health and Safety Rating System (HHSRS), can be found [here](#) or visit the Council website.



## Property management

Landlords should ensure the following:

- That inspections of the property are carried out at least every six months to identify any issues relating to the condition or the management of the property. The records of such inspections should include the details of who did the inspection, the date and any issues raised. Inspection records should be retained for the duration of the accreditation
- If a payment of rent is missed a visit should be made to the property by the landlord no later than one month from the date the payment was due, in order to ensure that the property is secure and has not been abandoned
- That any report or complaint relating to disrepair or pest infestation is appropriately actioned and ensure that any necessary works are undertaken within a reasonable period of time
- That, as far as is reasonably practical, emergency works required to protect the security of the property are undertaken within 24 hours
- All repairs to the property or any installations, facilities or equipment within it are carried out by competent and reputable persons and are completed to a reasonable standard

## Accommodation requirements

All rooms used for sleeping accommodation should have natural ventilation and natural lighting.

The bedrooms should also be capable of accommodating a bed, a wardrobe (unless there is a built-in wardrobe or cupboard of adequate size) and a chest of drawers.



## Furniture and furnishings

All furniture supplied by the landlord must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 as amended. Additional information on which can be found [here](#) or visit the Council website.

All new furniture provided by the landlord must carry a permanent label describing the fire resistance of all the materials used. This requirement does not apply to furniture provided by the tenant.



## Fire precautions – smoke and heat detection

A listing of good practice is outlined below, however in circumstances where construction standards are poor, the property has an unusual layout, exit travel distances are excessive, or the occupants are considered to be vulnerable or high risk, additional measures to those detailed below may be required.



- Escape routes, stairways and entrance hallways should be kept free of obstructions and combustible materials at all times
- Escape route walls and ceilings should be of sound traditional construction
- Any polystyrene ceiling and wall tiles should be replaced with a suitable alternative within the first 12 months of accreditation
- All smoke, heat and carbon monoxide detectors and alarms must comply with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022; further details of which can be found [here](#) and [here](#) or visit the Council website
- All smoke and heat detectors and alarms are to be tested in accordance with the manufacturer's instructions as part of the regular management property inspection regime. These tests should be appropriately recorded and retained for the duration of accreditation
- Tenants should be provided with appropriate information relating to any smoke, heat and carbon monoxide detectors and alarms installed to the property at the commencement of the tenancy
- Any locks fitted to bedroom doors should be openable from the inside without the use of a key
- Any locks fitted to any bathroom or toilet door should be openable from the inside without the use of a key

## Energy efficiency

All rented properties are required to have a valid Energy Performance Certificate (EPC) and must have an energy performance rating of category E or above. If you are unsure if the property has energy performance certification you can check [here](#) or visit the Council website.

Accredited properties should have the following energy conservation measures installed as standard, however properties that do not have these provisions will still be eligible for accreditation, subject to attaining a rating of category E or above.

Preferred as standard for accredited properties:

- If there is a loft space, a minimum of 250mm of appropriate insulation material
- Cavity wall insulation
- Double glazing
- Energy efficient central heating boiler
- Radiator thermostats
- Central heating thermostats
- Draught-proofing
- Low energy light bulbs



## Space heating

All habitable rooms must be provided with adequate and suitable fixed space heating appliances, or the property must have a controllable central heating system, which is effective across all habitable rooms. Where central heating is not installed, some other appropriate heating source must be provided to each habitable room within the property that is adequate, affordable, controllable and efficient.

All habitable rooms should be capable of reaching and being maintained at 18°C or above during the winter months or in extreme cold weather.

## Gas safety

All gas appliances must have a safety check carried out every 12 months by a gas safe registered engineer.

A copy of a current satisfactory gas safety certificate must be provided to the tenant at the commencement of the tenancy and upon each subsequent annual gas safety check.

A copy of the gas safety certificate must be provided to the Council's private sector housing team with the accreditation application and annually thereafter.



## Carbon monoxide detection

A long-life tamper-proof carbon monoxide detector must be provided in a suitable location within the property where gas is supplied to the property.

A carbon monoxide alarm must be installed in any room in the property which is used wholly or partly as living accommodation, (including a bathroom shower room or a lavatory), which contains a gas or solid fuel burning combustion appliance.

## Kitchen facilities

There should be a kitchen of a suitable layout and size, equipped with adequate facilities to allow for the safe and hygienic storage, preparation and cooking of food. The kitchen should have the following facilities, which should be fit for purpose and provided in sufficient quantity, for the household.

- Sink with draining boards
- An adequate supply of cold and constant hot water to each sink
- Appropriate and serviceable fixed gas and/or electrical energy outlets, to facilitate the installation of cooking appliances, such as a cooker, oven or hob, if these cooking appliances are not provided by the landlord

- An adequate number of electrical sockets
- Adequate and suitable worktops for the preparation of food
- Adequate cupboard for the storage of food and kitchen utensils
- Appropriate refuse disposal facilities
- Walls adjacent to preparation and cooking areas that are capable of being easily cleaned
- All units and any appliances provided should be in good repair and in good working order
- An openable window should be present in the kitchen
- There should be a suitable means of mechanical extraction and ventilation to the kitchen; or a commitment to install such equipment, within the first 12 months of accreditation

## Bathing, showering and toilet facilities

- The facility must allow for privacy
- All bathrooms, shower rooms and toilets should be of an adequate size and layout to allow comfortable use, including dressing and undressing
- A suitable locking mechanism should be fitted to the access door, which can be operated without the need for a key
- All baths, showers and wash hand basins should be equipped with taps providing an adequate supply of cold and constant hot water
- Any separate WC should contain a wash hand basin with a supply of hot and cold water
- All baths, toilets and wash hand basins should be fit for purpose
- All bathrooms/shower rooms should be suitable for purpose and adequately heated
- An openable window should be present in any WC, bathroom or shower room
- All bathrooms and shower rooms should have a suitable means of mechanical extraction and ventilation; or a commitment to install such equipment, within the first 12 months of accreditation





## Electrical installations

The landlord must carry out a visual inspection of the fixed electrical installation at the beginning of each tenancy and at least annually thereafter. This inspection should cover all aspects of the fixed electrical installation and arrangements should be made to appropriately rectify any defects.



The property must have a current and satisfactory Electrical Installation Condition Report (EICR).

The fixed electrical installation must be inspected and tested every five years, or at any lesser interval that may be specified within the current EICR. The EICR and any works undertaken to the fixed electrical installation must be carried out by a competent person who is a member of one of the governments approved 'competent person' schemes.

A copy of a current and satisfactory EICR, must be provided to the tenant at the commencement of the tenancy, and a copy must be provided to the Council's private sector housing team with the accreditation application. Should the EICR expire during the term of the accreditation, the private sector housing team will require a copy of the renewed EICR.

## Electrical appliances

The landlord must ensure that all portable electrical appliances which have been provided by the landlord under the tenancy agreement, are in a safe condition. Portable electrical appliances are those electrical appliances normally supplied with power via a plug, such as, kettles, toasters, washing machines and fridges.



All portable electrical appliances must be tested on an annual basis and at the commencement of each tenancy and a satisfactory Portable Electrical Appliance (PAT), test report should be obtained. Any such PAT tests should be undertaken by a competent person.

A copy of any current PAT test report must be provided to the tenant at the commencement of the tenancy and a copy must be provided to the Council's private sector housing team, with the accreditation application. Thereafter, copies of the annual PAT test reports must be provided to the tenant and to the accreditation team.

## Security

All properties must have adequate security provisions, as outlined below:

- All ground floor and other accessible windows must be protected by the provision of suitable window locks or other appropriate security measures and keys must be readily available at all times
- The front and rear doors must be of sound construction and well maintained and provided with a secure lock
- The front door must be fitted with a suitable viewer or door chain where the door is not fitted with a transparent glass panel
- The rear boundary of the property must be maintained to ensure it is secure and in good repair at all times and where fitted, lane gates and doors must be provided with a suitable locking device
- Tenants must be able to exit the property from the rear boundary gate or door



## Condensation damp and mould

Landlords should provide tenants with information advising them on how they can reduce condensation and reduce the chances of damp and mould growth within the property from excessive condensation.

The risk of damp, condensation and mould can be reduced by the installation of suitable mechanical extraction to any bathroom/shower room and to the kitchen, or by the installation of whole property Positive Input Ventilation (PIV system).

Accredited properties should have mechanical ventilation fitted to all bathrooms, shower rooms and kitchens and if these are not fitted, then a commitment should be made to remedy this within the first 12 months of accreditation.

Additional information on condensation, damp and mould can be found [here](#) or visit the Council website.

## Refuse and waste management

A suitable domestic waste refuse bin or bins, for the disposal of refuse must be provided at the property at the commencement of each tenancy.

- The bin(s) provided should have adequate capacity for the number of household occupants
- Information should be provided to the tenants on the arrangements for the storage and disposal of waste, to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture
- No refuse shall be kept within the yards or gardens of the property, other than in appropriate storage containers approved and provided for that purpose

## Vermin infestation

Landlords must take all reasonable measures to prevent vermin infestation within the rental property and the property should be vermin-free at the outset of the tenancy. Vermin infestation would include (but is not limited to) any mouse, rat, cockroach, flea, bee, wasp, fly or bedbug infestation.

In respect of any vermin infestation arising during the term of the tenancy, which is directly attributed to a material or structural defect relating to the property, then it shall be the responsibility of the landlord to rectify the property defect and to eradicate the vermin infestation, at no cost to the tenant.

Where any vermin infestation (arising during the term of the tenancy) is deemed to be directly attributable to any action or omission on the part of the tenant; then the landlord must take all reasonable steps to engage with the tenant and provide appropriate vermin control assistance by directing the tenant to professional pest control services. Any material or structural defect causing or facilitating the vermin infestation shall be rectified by the landlord, even if the tenant was responsible for the material defect(s) to the property.

The landlord must ensure that the tenant is made aware of the reporting procedures, in respect of any vermin infestation of the property.



## Landlord buildings insurance cover

The accredited property must have the benefit of appropriate landlord buildings insurance cover and copy of the insurance certificate and the policy schedule, must be provided to the Council's private sector housing team with the accreditation application.

## Tenancy management

This section looks at how the landlord manages the property, the tenants and tenancy.

Landlords should ensure that in advance of or at the commencement of the tenancy, tenants are provided with a suitable tenant information pack which should include:

- Information about how to report routine and emergency repairs or concerns including an 'out of hours' reporting provision
- Information on arrangements for the storage and disposal of waste, including bin collection days where bins should be stored and how to request bulky waste collections
- Copies (where applicable) of the Gas Safety Certificate, Electrical Installation Condition Report (EICR), the Portable Electrical Appliance Test Report (PAT) and the Energy Performance Certificate (EPC)
- Location of the internal isolation service valves for gas and water supplies to the property
- Copies of manuals/instructions for any installations and/or equipment within the property



## Continuous Professional Development (CPD)

Landlords should look to improve and maintain their knowledge and competency of the private sector housing establishment by undertaking ongoing training and development in housing related matters.

Professional development may include participating in online or face-to-face training events relating to housing standards and landlord/tenant law, or by attending meetings and forums arranged by local and national industry bodies or associations.

As an accredited landlord you will have access to a range of training and reference material and you can contact the private sector housing team if you would like further information on accessing any of these resources.

## National Residential Landlords Association (NRLA)

North Tyneside Council accredited landlords can access free or discounted membership of the National Residential Landlords Association (the NRLA). Those landlords that accept a free or discounted membership of the NRLA should agree to undertake the associations core landlord training modules within the first 12 months of accreditation to promote continuous professional development.

Further information on the NRLA can be found at [www.nrla.org.uk](http://www.nrla.org.uk)

## Right to rent checks

Landlords must comply with the 'Right to Rent' check requirements before starting any new tenancy in order to ensure that the proposed tenants have the legal right to rent residential property in England.

This is a legal requirement and accredited landlords must have procedures in place to ensure compliance with these tenancy regulations and accredited landlords should:

- Establish which adults will be living in the property as their main home
- Check the adults have documents which prove that they can live in the UK
- Always ask to see original documents
- Obtain copies of any documents produced and record the date of viewing the documents
- Retain copies of any documents produced for the duration of the tenancy

For further information on the 'Right to Rent' requirements can be found [here](#) or visit the Council website.

If you are unsure about a tenant's 'Right to Rent' status or want to check that an application for a Visa is being processed, you can do so [here](#) or visit the Council website.

## Tenant referencing

Landlords should obtain robust references for prospective tenants before creating a new tenancy and as a general guide, the referencing process should request the following information:

- Proof of identification
- Current and previous addresses with landlord details from the last three years
- Contact details including full name, any previous names and date of birth



- Details of other persons over 18 years of age, who will be living with the tenant as co-tenants or as occupants
- Written references from previous landlords or letting agents
- Proof of employment or proof of benefit income
- Whether they are or intend to be a local housing allowance or housing benefit claimant

The accreditation team can offer advice and assistance on tenant referencing and on choosing prospective tenants, to accredited landlords.

Letting agents and national landlord associations also offer tenant referencing and vetting services with various elements including credit checks.

## **Protecting your tenant's tenancy deposit or security bond**

If a tenancy deposit or security bond is taken, it must be protected within a government approved tenancy deposit protection scheme and all of the legal requirements in that regard must be met by the landlord including providing the prescribed information (as provided by the relevant deposit scheme operator), to the tenant, within 30 days of the receipt of the deposit.

This is a statutory requirement and accredited landlords must comply. The amount that has been paid (as a tenancy deposit or security bond) and the scheme in which it has been (or will be) protected, must be included within the tenancy agreement. After the deposit has been appropriately protected the landlord must supply the Prescribed Information to the tenant within 30 days and comply with the requirements of the particular scheme provider.

Information on the government requirements relating to tenancy deposits and security bonds can be found [here](#) or visit the Council website.

## Tenancy agreements

A written tenancy agreement is required at the start of each letting, however after the initial fixed term the accredited landlord can allow the tenancy to become periodic.

A tenancy agreement is a written legal document that sets out the rights and responsibilities of both the landlord and the tenant. It will contain details such as the length of the tenancy agreement, the rent payable, and what is and is not allowed in the property. It is advisable not to hand over keys to a tenant unless the tenants have signed the tenancy agreement. Landlords should ensure that the tenancy agreement meets the legal requirements and is appropriate for the needs of the landlord and the tenant.

The landlord should ensure that at the start of a tenancy the tenant is provided with the legally required documentation and information which would include the following:

- A copy of the Gas Safety Certificate (if applicable)
- A copy of the Energy Performance Certificate (EPC)
- A copy of the Electrical Installation Condition Report (EICR)
- A copy of the Portable Electrical Appliance (PAT), report (if applicable)
- A copy of the tenancy agreement
- A copy of the tenancy deposit or security bond 'prescribed information' (if applicable)
- A copy of the current 'How to Rent in England' publication issued by the government, which can be found [here](#) or visit the Council website

Model tenancy agreements can be provided by the private sector housing team, together with additional information regarding the legal requirements relating to the creation of a residential tenancy.

## Inventories

### Pre-tenancy

An inventory is a list of everything that a landlord may provide the rented property, such as carpets, curtains, furniture, white goods and kitchenware, together with details of the property condition prior to the commencement of the tenancy.

An inventory is required for each new tenancy, for furnished and furnished lettings. An inventory will help avoid tenancy deposit/security bond disputes when a tenant moves out, as it establishes the condition of the property and its contents before the tenant moved in.

The landlord must ensure that any remedial works identified during the pre-tenancy inventory inspection are rectified within a reasonable period of time.

The landlord should agree the inventory with the tenant and both parties should sign and date the inventory form with each retaining a copy. A shared photographic record would also be advisable, to supplement the written inventory.

### Termination of tenancy

Prior to the termination of the tenancy, the landlord should conduct a property inspection with the tenant, (using the pre-tenancy inventory as a guide) to check the condition of the property and any furniture, fixtures and fittings provided by the landlord. This allows both parties to agree on the final condition of the property and its contents at the end of the tenancy and will help avoid any disputes.

The landlord should have regard to any general wear and tear that may have occurred over the course of the tenancy and contact will need to be made with the appropriate tenancy deposit scheme provider, in respect of any dispute that might arise relating to any proposed landlord deductions from the deposit.

The private sector housing team have sample inventory forms and can offer advice and assistance on completing an effective pre-tenancy inventory.

## Quiet and peaceful enjoyment

The landlord will observe the tenants right to quiet and peaceful enjoyment of the property. This means they will not attend the property without prior written notification to the tenant allowing a minimum of 24 hours' notice, unless in the case of an emergency.

The landlord will not harass a tenant either by attending the property without an appointment or by excessive correspondence or contact, by any other means. If the tenant falls into rent arrears, or there are other problems with the tenancy and the tenant is being uncooperative, the landlord can seek advice from the private sector housing team.

Unless specifically requested by the tenant, a landlord should try to keep visits, phone calls and other tenant contact within normal working hours, i.e. weekdays between 9am and 5pm.

## Tenant reporting and property repairs

Landlords should provide tenants with a clear contact method to report tenancy or property issues to the landlord, including out of hours and emergency contact procedures, for priority and urgent repairs.

Landlords should also provide tenants with information at the start of the tenancy on the timescales they can expect for emergency and non-emergency repairs and a schedule for any general or ongoing maintenance of the property that is proposed during the term of the tenancy.

Repairs/defects that would require emergency intervention by the landlord, would be any defect that might present a danger to life or limb, or presents a major health and safety risk, or is a security risk. This would include, uncontrollable water leaks, loss of heating or hot water, loss of power and doors or windows that cannot be secured against unauthorised access.

Landlords should have regard to the following guidelines, when addressing any property defect(s) reported to them by the tenant, or anyone acting on the tenants behalf.

Where the landlord is notified of a defect or disrepair within the property, appropriate repairs or remedial action should be completed within the following timescales:

- Emergency repairs – 24 hours; any issue that poses a risk to the health and safety of the tenants or serious damage to the property or the residents belongings. These repairs should be completed within 24 hours of the defect being reported, however, in circumstances where this is not practical, landlords should make the best temporary arrangement and complete the work as soon as possible. For example, boarding and securing a broken window or door, pending replacement or repair
- Urgent repairs – five working days; any repair or property defect which materially affects the comfort or convenience of the residents should be resolved within five working days. For example, a boiler that is broken, leaving the tenant without heating or hot water
- Routine repairs – 28 working days; routine (general wear and tear) repairs should be resolved within reasonable timescales, for instance, within 28 working days of being reported, unless a longer timescale is agreed with the tenant. For example, a broken internal door handle or a defective kitchen drawer

In general terms the 'date of reporting' shall be the date that the tenancy issue, property defect or repair is brought to the attention of the landlord by the tenant, or by any person or body acting on the tenants authorised behalf. Appropriate records should be maintained by the landlord and such reports can be made in person, in writing, by phone, text or e-mail. Tenants should be notified by the landlord at least 24 hours prior to the attendance at the property by contractors or others, to undertake repairs or remedial works.

## Rent accounts

Landlords must maintain a detailed rent account for the entirety of the tenancy, scheduling all payments made and recording any rent arrears that might accrue. Upon any request being made by the tenant for a copy of the rent account, the landlord must provide the tenant with a copy within five working days.

Wherever possible rents should be paid by bank transfer in preference to cash.

If rents are paid in cash the landlord must maintain a rent book, in which every rent payment must be recorded and that rent book must be retained by the tenant not by the landlord. The landlord should not rely on the cash rent book (as retained by the tenant) as the only record of the rent account and in addition to the tenants rent book, the landlord must maintain a separate record of every rental payment made and of any accrued rent arrears.

## Tenancy termination – possession proceedings

Should the landlord and/or the tenant wish to end the tenancy, then (wherever possible and practicable) termination should take place under the terms of the tenancy agreement by a process of mutual agreement between the landlord and the tenant.

Should the landlord wish to end the tenancy and gain possession of the property, (and possession cannot be achieved, under the terms of the tenancy by mutual agreement between the landlord and tenant), then the landlord must follow the correct legal termination and possession process by serving the appropriate legal notices and where necessary, applying to the court for a possession order.

The private sector housing team can offer advice and assistance on bringing a tenancy to an end and on obtaining lawful possession of the property.



## Tenant reference requests

Should the tenant request a tenancy reference from the landlord at any time during the term of the tenancy, or should any person, agent or organisation acting with the authority and/or permission of the tenant request a tenancy reference, the landlord should not unreasonably withhold or refuse to provide a factual tenancy reference, in respect of the tenant.

The landlord may require the advance payment of a reasonable fee (by the tenant) to cover the referencing costs incurred and the landlord may refuse to provide a tenancy reference if no advance fee is paid.

## Managing Anti-Social Behaviour (ASB)

Landlords should take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour, including ensuring that any tenancy agreement contains a clause holding the occupants responsible for any anti-social behaviour caused at or in the vicinity of the property by the tenant and/or by their visitors.

Should a landlord receive any complaints relating to anti-social behaviour related to the tenant or the property, the landlord should follow a reasonable and incremental process of investigation and resolution and where appropriate, the landlord should engage and co-operate with the Council and/or the Police, when dealing with ASB complaints.

## Fit and proper person criteria

The landlord must ensure that the tenancy, the maintenance of the property, and any engagement with the tenant or any statutory authority, is undertaken respectfully and professionally in compliance with the relevant legislation, statutory guidance and regulations.

The landlord must also ensure that the tenancy and any business related to the management of the tenancy and/or the rented property, is conducted in accordance with the North Tyneside Council Accredited Landlord Code of Conduct.

## Financial and business practices

Landlords should have appropriate finances and business practices in place to ensure that they can at all times:

- Appropriately manage the tenancy
- Remedy any property dis-repair
- Undertake planned and routine maintenance
- Maintain (property specific) mandatory inspection and certification; (i.e. gas and electrical installations)
- Maintain appropriate landlord building insurance cover
- Sustain any loss of rental income
- Fund possession proceedings
- Comply with the Accredited Landlord Code of Conduct



## Accredited landlords – operational issues – complaints – concerns

With regard to any operational concerns identified by the private sector housing team, in respect of any accredited landlord, then, having due regard to the partnership working agreements that underpin the accreditation scheme and the fact that the scheme is voluntary, the team will always look to resolve any matters arising informally by engaging with the landlord (and any relevant or interested party) to offer appropriate advice, guidance and assistance.

In the unfortunate event that any operational issues or concerns cannot be informally resolved, the private sector housing team will write to the landlord to outline the nature of those concerns and to propose a resolution.

If matters are not satisfactorily resolved by the landlord within a reasonable period of time, the private sector housing team will initiate the 'complaints and dispute resolution' procedures as outlined below and the team will progress their concerns as an unresolved complaint.

If the private sector housing team become concerned that an accredited landlord is not appropriately managing a tenancy or a rented property and is not complying with the Accredited Landlord Code of Conduct, then the landlord's accreditation status can be terminated.



## Complaints and dispute resolution procedure

Should the Council receive a complaint in respect of any accredited landlord or any property listed under the accredited landlord scheme, the complaint will normally be investigated by the Council service having the professional competency to consider the merits of the complaint. For instance: building control, planning, environmental health, pest control and community safety.

Any landlord that is subject to a complaint (made to the Council or any other statutory body) should engage and cooperate with the relevant complaint authority, to appropriately resolve the complaint. However, if the complaint is not resolved within a reasonable period of time the private sector housing team will intervene and offer assistance.

The procedure outlined below will apply where there is a third-party complaint that remains unresolved, or where the complaint is an unresolved concern that has been raised with the landlord directly by the private sector housing team.



- In circumstances where a complaint cannot be satisfactorily resolved and there is an indication that the landlord has failed to appropriately address the concerns raised and effect resolution, then the private sector housing team will consider the complaint relative to the terms of the Accredited Landlord Code of Conduct and any relevant legislation; and will engage with the landlord to informally achieve a resolution
- If the issues cannot be resolved informally, the private sector housing team will make a formal determination and will advise the landlord in writing of the reason(s) for that decision. Where it is deemed that the landlord should take action to resolve the complaint, the team will outline any recommendations for resolution, within the decision letter
- The landlord will then be given an opportunity to resolve the complaint in line with the recommendations of the private sector housing team, or alternatively, the landlord can make written representations to the team outlining any concern the landlord may have, within 14 days of receiving the decision letter
- Following this 14-day period, if no written representation is made by the landlord and the complaint is not satisfactorily resolved, or if representations are made by the landlord but they are deemed to be of no material relevance, then the landlord will be removed from the accreditation scheme and where appropriate, additional action may be initiated by the Council to resolve the complaint
- The private sector housing team will then issue a written notification to the landlord, advising that the landlord, (and any properties registered to the landlord), have been removed from the accreditation scheme; however, the landlord will have a 21-day right of appeal, against any such termination decision
- Any appeal against the landlords removal from the accreditation scheme must be made in writing by the landlord, within 21 days of the date of the termination notification. The appeal will be considered by a panel consisting of senior management of the Council and the panel will notify the landlord of the outcome of the appeal in writing, within seven days of the decision being made





## Termination of accredited landlord status

Accredited landlords can voluntarily request to leave the accredited landlord scheme at any time, by providing a written notification to the private sector housing team that they wish to leave the scheme. The landlord and any properties within the landlords management will then be withdrawn from the scheme, within five working days of the written termination notice being received by the private sector housing team.

The landlords accredited landlord status can also be terminated by the private sector housing team, where it has been determined that the landlord has failed without reasonable cause, to comply with the accredited landlord Code of Conduct, or with any aspect of landlord and tenant law, property condition regulations, or any other relevant matter.

In the event of accreditation revocation, the private sector housing team will issue a written notification to the landlord, advising that the landlord, (and any properties registered to the landlord), have been removed from the accreditation scheme; however, the landlord will have a 21-day right of appeal, against any such termination decision.

Any appeal against the landlords removal from the accreditation scheme must be made in writing by the landlord, within 21 days of the date of the termination notification. The appeal will be considered by a panel consisting of senior management of the Council and the panel will notify the landlord of the outcome of the appeal in writing within seven days of the decision being made.

## **Contact Us:**

Landlord Accreditation

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