

Response to Request for Information

Reference FOI 000682
Date 12 December 2016

Regulating or Licensing Landlords - (HMOs)

Request:
Under the Freedom of Information Act

This query relates to the right to rent provisions set out in the Immigration Acts 2014 and 2016, which are now established in law. These provisions require landlords to carry out immigration checks of tenants, and expose them to a civil penalty fine, or up to five years in prison for non-compliance. In addition they grant powers to landlords to evict tenants, including children, without a court order in certain circumstances. They are currently in force in England, and a further rollout is planned for Scotland, Wales and Northern Ireland.

I am writing to enquire whether, in light of the above changes, or (depending on your area) planned changes, you could provide us with answers to the following questions:

1. Do you have a scheme in place regulating or licensing landlords in your area?
[The City of Wolverhampton Council licenses mandatory HMOs and has a Selective Licensing Scheme in All Saints which is due to expire in January 2017. Properties which are licensed can be viewed via the public register online at \[www.wolverhampton.gov.uk/housing\]\(http://www.wolverhampton.gov.uk/housing\)](#)

2. Have you put in place any internal policies or guidance to assist the following teams, or others, to carry out their work in light of the right to rent scheme?
a. Housing team
b. Trading Standards team (in relation to letting agents)
c. Landlord licensing team (if applicable)

Please provide copies of any such policies or guidance.

[The **Right to Rent** provisions placed on landlords are not enforceable by the local authority and therefore we only provide a sign-posting service to the Government information available including their checking and inquiry service.](#)

3. Have you put in place any systems to monitor the impact of the right to rent scheme on:

- a. Homelessness;
- b. Discrimination;

Please provide copies of any documents, emails, meeting minutes relating to such monitoring efforts.

[We do not have any provisions in place to monitor **Right to Rent** as there is no](#)

duty to do so and blanket licensing is not operable in our City.

4. Are you providing training, outreach, or other engagement in respect of the right to rent scheme, for example to landlords, service users, or your staff? Please provide copies of training materials, or other related documents.
Other than the joint Home Office workshops for landlords, agents and stakeholders at the start of the scheme we provide no further training.
5. Are you taking any other action to ensure compliance with your Public Sector Equality Duty in relation to the right to rent scheme? If so, what?
There is no duty on the Local Authority to ensure compliance with the scheme as this is the Government's duty; as is their duty to consider equalities implications.