

Response to Request for Information

Reference FOI 001042
Date 6 April 2017

Trading Standards and Enforcement, Letting Agents

Request:

This freedom of information request relates to Trading Standards and the level of enforcement activity undertaken regarding the requirement for letting agents to display all relevant landlord and tenant fees both instore and on the company's website under the Consumer Rights Act 2015. This requirement has been in force since 27 May 2015.

1. Is this area of work considered to be a high priority when deciding the allocation of staffing resources by Trading Standards?
 - a. Yes
 - b. No
2. Is the current approach to enforcing this requirement proactive, reactive or a combination of the two?
 - a. Reactive only
 - b. Proactive only
 - c. A mixture of proactive and reactive work.
3. What level of staffing resources were allocated to investigating and enforcing this requirement from 1 April 2016 to 31 March 2017, measured in full time equivalent (FTE) staff? A best estimate will suffice.

No. of FTE staff: 0.1 (estimate)

4. Do you anticipate the level of staffing resources allocated to this work will increase, decrease or stay the same in 2017/18 and why?
 - a. Increase
 - b. Decrease
 - c. Stay the same

In respect of question 4 above, it has been established after careful consideration that the Council does not hold the above information at this moment in time as this service is imminently due a re-organisation. Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1)(a) of the Act, that states:

“Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request”.

5. Since May 2015, how many letting agents have been issued with a written warning for failing to display all relevant fees online and/or on the company's website?
None
6. Since May 2015, how many letting agents have been issued with a Final Notice and a civil penalty for failing to display all relevant fees online and/or on the company's website?
None
7. Of the civil penalties referred to in question 6, what percentage have been paid in full by the recipient?
N/A
8. The government have recently announced plans to ban letting fees to tenants. When compared to the current enforcement regime, what impact does the council think this will have in terms of enforcement?
 - a. It will make it more difficult for Trading Standards to enforce the rules
 - b. It will make it easier for Trading Standards to enforce the rules
 - c. It will be similar to the existing arrangements
 - d. We have not yet assessed the likely impact on enforcement