

CODE OF PRACTICE FOR PRIVATE SECTOR LANDLORDS.

Introduction

Birmingham City University Code of Practice is a quality initiative developed by the Accommodation Services department and The Union of Students.

The aims of the Code are:

- To improve the quality of accommodation available to students
- To encourage good practice in the management and maintenance of student accommodation
- To provide an effective marketing tool for landlords who give a commitment to quality
- To improve relations between students, tenants and landlords.

The Code contains a number of common sense undertakings to enable landlord and tenant to agree the way they wish to do business with one another.

For landlords to register their property with the University, it is a requirement that they comply with the contents of this Code. The university reserves the right to take sanctions against a landlord that breaches the clauses outlined in the Code (full explanation attached).

Before letting the property the landlord will ensure that:

1.0 All property details are correct and accurate

1.1 All prospective tenants are given the opportunity to view the property

1.2 Lettings agreements are clear and contain details of the rent to be paid, including dates, amounts and methods of payments as well as the responsibility for service charges, utility bills, council tax etc.

1.3 No monies for deposits or rent are demanded prior to the signing of the agreement.

All deposits taken conform to any new negotiations set out in The Housing Bill 2004.

1.4 All prospective tenants are given a minimum of 24 hours to consider the agreement before being requested to sign.

1.5 The name and address of the landlord or managing agent is stated in the letting agreement.

1.6 Relevant notices on any incumbent tenants are served to ensure that vacant possession is obtained for the incoming tenants.

1.7 The property is insured by fully Comprehensive cover for full replacement value and for not less than £1 million liability.

1.8 An inventory exists of all the furniture and fitments, which will be available to students to check within the first few weeks of their tenancy.

During and throughout the tenancy, landlords agree to:

2.0 Ensure that the property is in good state of repair.

2.1 Carry out repairs in full compliance with the provisions of section 11-16 of the LANDLORDS AND TENANT ACT 1985.

2.2 Carry out repairs in accordance with the following;

- Emergency Repairs: required in order to avoid a danger to health, risk to the safety of tenants, or serious damage to buildings or tenants belongings - WITHIN 24 HOURS

- Urgent Repairs: those that affect the comfort or convenience of tenants - WITHIN 5 WORKING DAYS

- Non Urgent Repairs: reactive repairs not falling with the above categories - WITHIN 28 WORKING DAYS

2.3 Give tenants at least 24 hours prior notification of access to the property to effect a repair, except in the case of an emergency

2.4 Insure all repairs are carried out by a competent person, who is professional, polite, fair and courteous

2.5 Ensure that the property is secure enough to enable tenants to insure their personal belongings

2.6 Supply tenants with the operating instructions on the safe use of cooking and heating appliance

2.7 Display the name, address and contact telephone number within a communal area of the property, of the owner or managing agent of the property

2.8 Provide written receipts for all cash transactions to tenants

Gas Appliances and Supply

Landlords will ensure that:

3.0 All gas appliances are inspected annually by a competent CORGI registered technician.

3.1 The gas safety record which will be an original CORGI landlords gas safety record conforming to CP12 or CP1 layout is sent to Accommodation Services on registration and thereafter on request and a copy displayed prominently within the property

3.2 All repairs to gas appliances and pipework will be carried out by competent registered CORGI engineers/fitters, and copies of worksheets to be forwarded to the University.

Electrical Installations and Appliances

Landlords will ensure that:

4.0 All of the electrical wiring and appliances in the property are inspected every 5 years by a NICEIC or ECA registered technician in line with the current Institute of Electrical Engineering Wiring Regulations. Certificates with items coded 1 or 2 will not be accepted.

4.1 All repairs and improvements in electrical installations comply with the above Institutes requirements.

4.2 The original electrical safety certificate is sent to Accommodation Services on registration and thereafter on request and a copy displayed prominently within the property.

Fire Detection and Alarm Systems

Landlords will ensure that:

5.0 All properties are fitted with a fixed smoke detector linked to the mains electricity supply

5.1 Each kitchen has a heat detector linked to the mains electrical supply

5.2 Kitchens have a fire blanket

5.3 Kitchens have a half hour fire door fitted which will restrict the spread of fire into living areas. If specific advice is required please consult with the Private Tenants Services unit within the City Council on 0121 303 4009.

At the end of the tenancy the landlord will ensure that:

6.0 Deposits are not unreasonably withheld for any purpose other than for which they were originally specified

6.1 Any deductions from deposits should be accompanied by a full breakdown of the reasons for any stoppages

6.2 Deposits are returned within 30 working days of the end of the tenancy

The Arbitration and Sanctions Panel

This panel consists of at least 1 representative from the Accommodation Services department and 1 elected representative of the Union of Students.

Any alleged breaches of this Code of Practice should be reported in writing to either the Union of Students Advice Centre, or Accommodation Services.

The possible sanctions levied against a landlord found to be in breach of the Code of Practice will be in 3 parts depending on the severity of the circumstances:

1. Inform the landlord that they have breached the Code and recommend a recovery plan
2. Remove the landlord from the Code and refuse to advertise their property in future
3. Report the landlord to the relevant enforcement agency.

Birmingham City University will from the 1st July 2008 only advertise properties that are owned by Accredited landlords.

The University reserves the right to disclose details of all properties entered on its register to Birmingham City Council to enable them to fulfil their statutory functions in respect of Houses in

Multiple Occupation.

Birmingham City Council have requested line drawings of all properties, therefore we will be unable to register the property unless we have received these items.

The University advises you that under United Kingdom tax regulations you are required to notify Inland Revenue of any income you receive in respect of rented property. We also have a statutory obligation to furnish Inland Revenue with certain information if demanded by HM Inspector of Taxes.

Would you please notify Accommodation Services immediately the accommodation has been let, as this will reduce the likelihood of you being contacted unnecessarily.

You should note that in signing this form you are certifying the following:

Gas appliances within the property have been checked and serviced by a C.O.R.G.I. registered contractor and that the pipework is regularly maintained.

That electrical installation has been checked by a Registered N.I.C.E.I.C. or E.C.A. Contractor. In the event that a property requiring a Licence that the original Licence and any recommendations are seen by Accommodation Services.

All furniture and furnishings within the property complies with Statutory requirements.

Full compliance with the Birmingham City University Code of Practice.

Return form with original documentation:

- Current C.O.R.G.I. certificate
- Current N.I.C.E.I.C./ECA certificate
- Birmingham City Council HMO Licence
- Line drawing of property
- Fire/Smoke alarms certificate of provision of interlinked alarm system and heat detector in kitchen
- Accreditation Certificate

*The University will advertise properties on the BCU website, website address:

www.bcu.ac.uk/accommodation

Data Protection Act 1998

Under the terms of the Data Protection Act 1998 the University undertakes to process any data collected from this form in a responsible manner. Specifically, it will process any personal data fairly, for the sole purpose of administering and analysing Accommodation Services business. The University will also ensure the accuracy and currency of data; documented timescales will be applied to the retention of information held in this connection.

It is your right at any time to view copies of data held by the University in relation to you. Appropriate measures shall also be taken against accidental loss or damage to your personal data, by means of permissive access to the database. The data shall not be transmitted outside the European Economic Area.

Should you have any query regarding Data Protection Act Issues, please contact the Information Manager, Stephen Homer (stephen.homer@bcu.ac.uk, 0121 331 5288).