

Appendix 2 – Consultation with Residents, Landlords, Letting Agents and other Representatives

Introduction

By October 2014 we had developed a set of proposals for the introduction of an additional HMO licensing scheme to operate in Caledonian Road and Holloway Road. We developed an information pack, and a strategy for informing individuals and groups likely to be affected by the proposed scheme. A survey was devised as a method of obtaining the views of anyone wishing to respond to the proposals. This has helped to meet legal requirements and enabled us to gain valuable feedback from residents, landlords and their representatives.

Method

Proposals for an additional HMO licensing scheme to operate in Caledonian and Holloway Roads were published on the Council's website at www.islington.gov.uk/sharedlets on 27 October 2014. They included an overview, a frequently asked questions document, a map of the area proposed for the scheme, an HMO street survey report, proposed HMO standards and fees plus links to HMO definitions. The webpage also included a link to an online questionnaire that had been developed to help record the views of respondents. [The questionnaire design is shown at Addendum A].

The launch of the consultation exercise was supported by:

- a press release that was picked up in newspapers and websites
- Letters inviting over 300 landlords and letting agents operating in the two areas to view the proposals and complete the online questionnaire
- Distribution of more than 3000 leaflets to homes and businesses along the two roads
- Invitations sent to local organisations and community representatives such as Islington Private Tenants Group, faith groups, health centres and GP surgeries, universities and colleges
- Invitations sent to national organisations such as the National Landlord Association (NLA) and the Residential Landlord Association (RLA), Shelter, Generation Rent and the HMO Lobby.

A support telephone line was provided on all leaflets and letters to ensure that anyone wanting to take part in the survey was able to do so. Main officer contact details were also provided at www.islington.gov.uk/sharedlets.

On 8 December 2014 the proposals were presented to a meeting of Islington Landlords Forum to provide an opportunity for questions and discussion.

The consultation closed on 9 January 2015.

Analysis of Results

The Council received 94 online questionnaire submissions from a range of respondents (including two received as paper copies that were added into the online survey). In addition to the online survey responses we received a written submission from the Residential Landlords Association (RLA) (Addendum B) which has been given thorough consideration and the Council's response is shown at Addendum C. A petition was received from Islington Private Tenants Organisation, including the names of 39 people, calling for the proposals to be extended across the entire borough and with coverage of all private rented accommodation.

The responses to each question in the online survey have been analysed and presented in a series of charts (figures) and tables supported by commentary.

List of Figures and Tables:

Figure 1: Breakdown of online survey responses by respondent description	Page 3
Figure 2: Problems experienced with HMOs in Caledonian Road	Page 4
Figure 3: Problems experienced with HMOs in Holloway Road	Page 5
Figure 4: Perception of problems that occur in Islington's HMOs	Page 6
Figure 5: Respondents views on the impact of HMO problems and the Council's response	Page 7
Figure 6: Proportion of respondents who agree/disagree with the Council's licensing proposal	Page 8
Figure 7: Proportion of respondents who agree/disagree with the proposed fee structure for licensing	Page 9
Figure 8: Proportion of respondents who agree/disagree with the proposal to reduce licence periods where there is a history of non-compliance, poor property management and late/incomplete licence applications	Page 10
Table 1: Anonymised responses to Q10 [Grouped by theme] showing date and time of questionnaire submission and the Council's responses shown in blue	Pages 11-21

Figure 1: Breakdown of online survey responses by respondent description

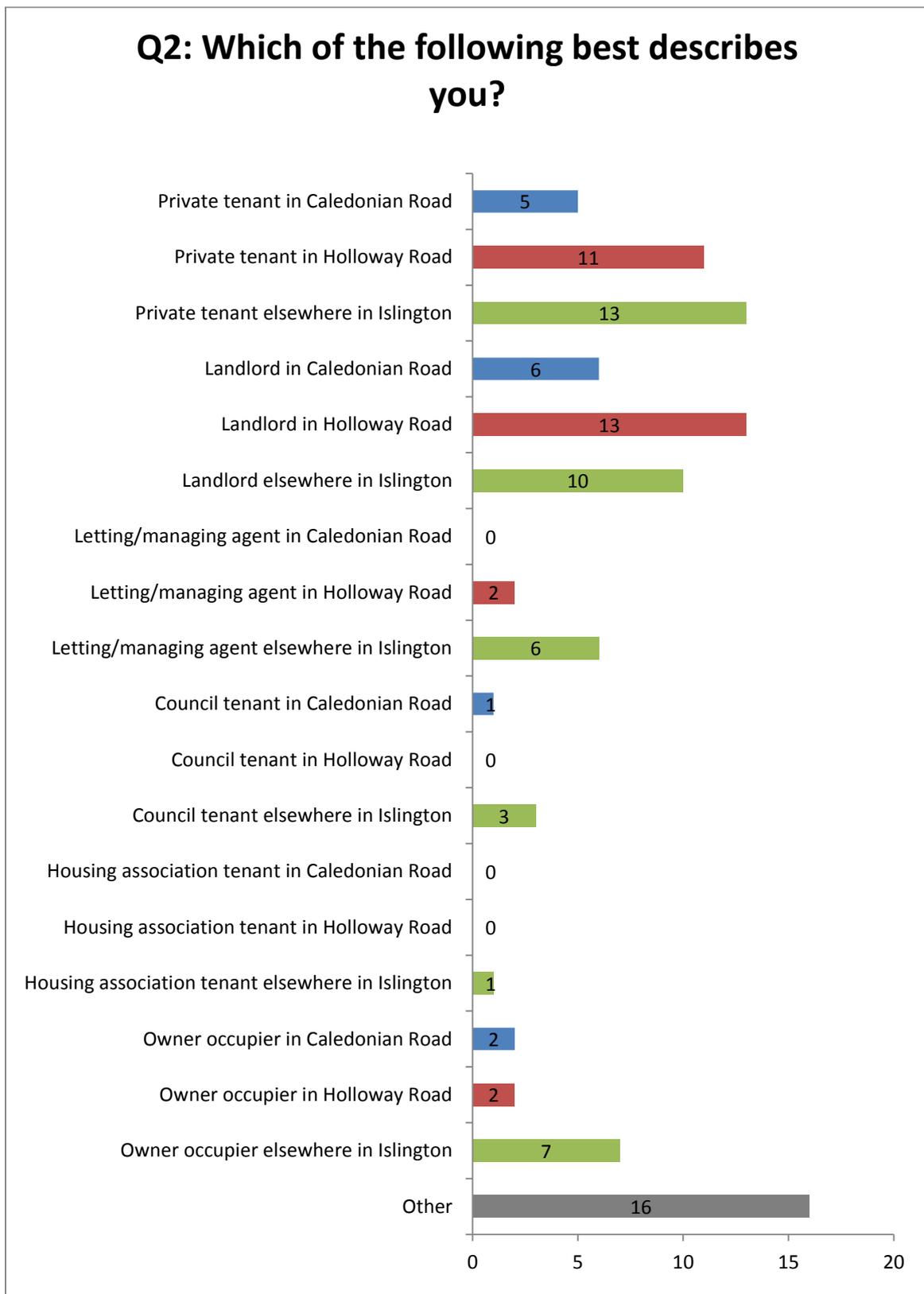


Figure 2: Problems experienced with HMOs in Caledonian Road

Q3: Have you experienced any of the following problems with shared accommodation in buildings along Caledonian Road?

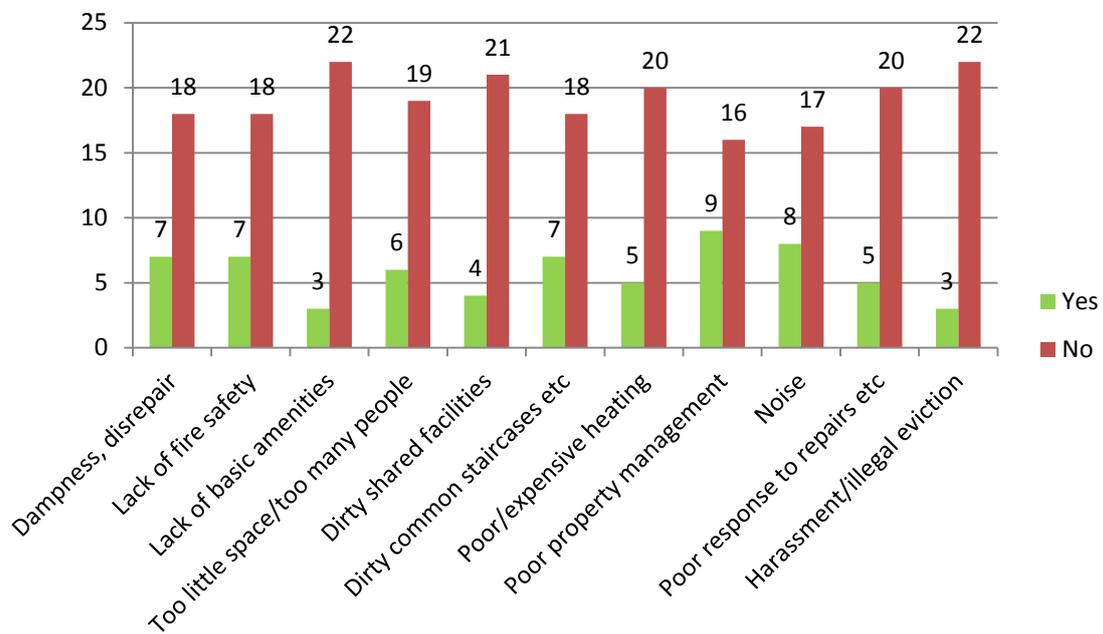
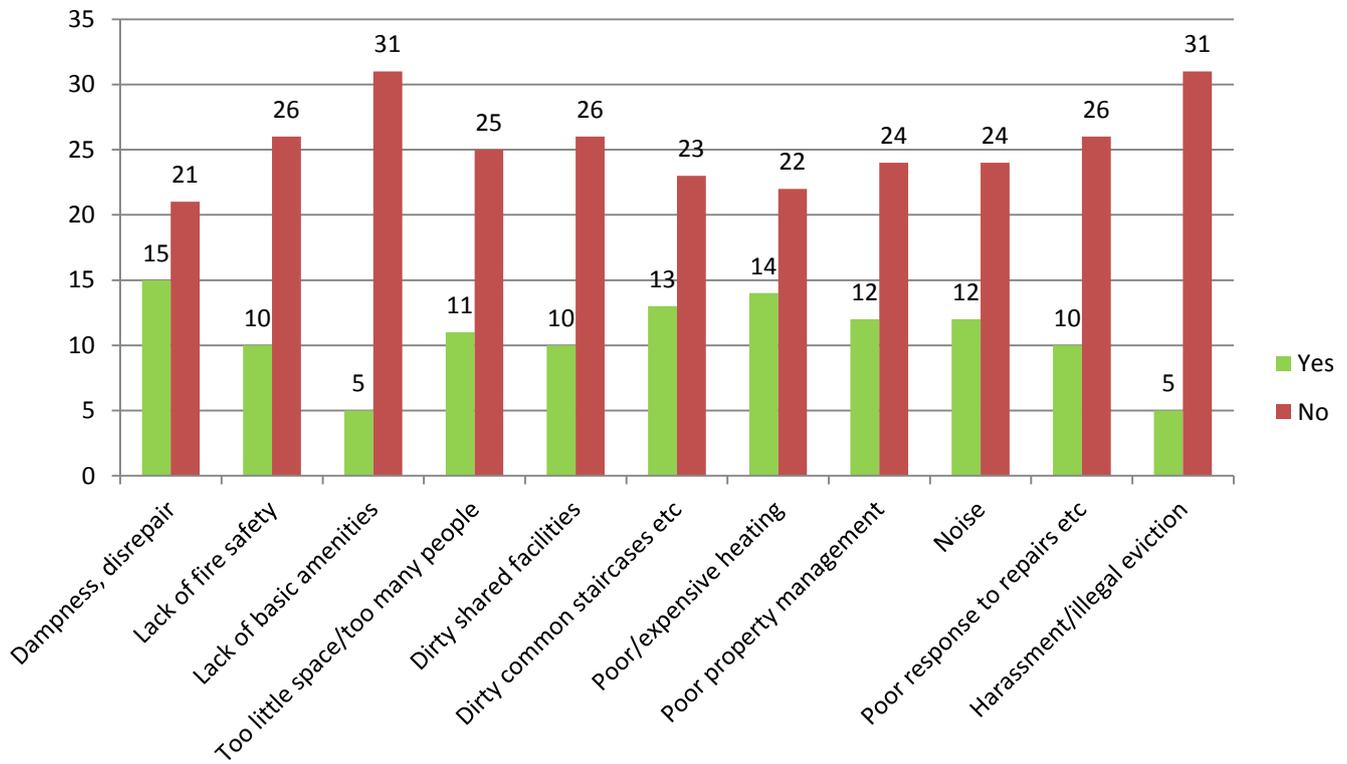


Figure 2 shows that where people completing the online survey have experienced specific problems in HMOs in Caledonian Road, the most prevalent were poor property management, noise dampness/disrepair, lack of fire safety and dirty common staircases and hallways.

Figure 3: Problems experienced with HMOs in Holloway Road

Q4: Have you experienced any of the following problems with shared accommodation in buildings along Holloway Road?



Similarly Figure 3 shows that where people completing the online survey have experienced specific problems in HMOs in Holloway Road, the most prevalent were dampness/disrepair, poor/expensive heating and dirty communal staircases and hallways.

Figure 4: Perception of problems that occur in Islington’s HMOs

Q5 – Do you agree that these problems occur in privately rented shared properties in Islington?

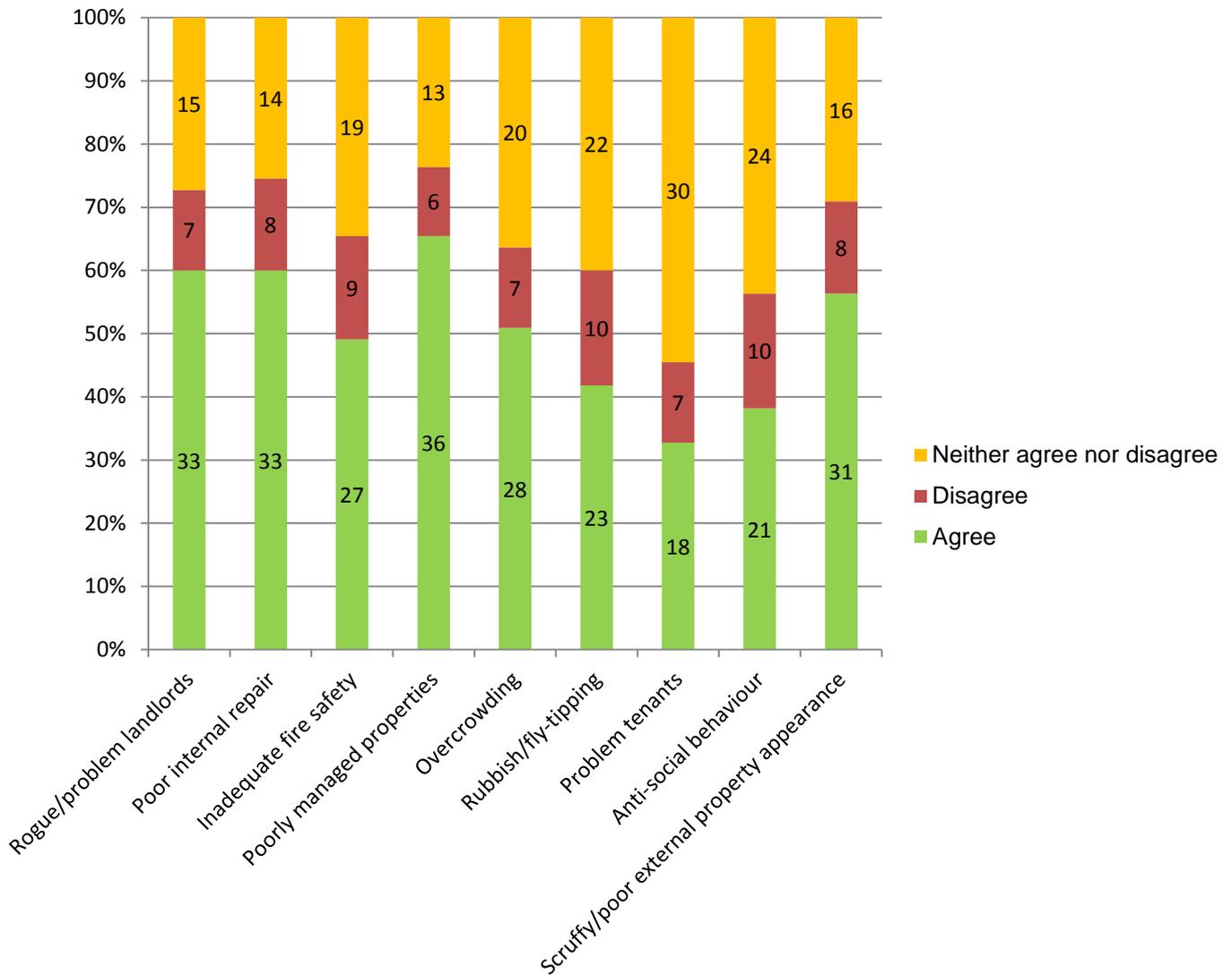


Figure 4 provides an indication of how respondents perceive these problems. Poorly managed properties, poor internal repair and rogue/problem landlords were most frequently highlighted. (55 respondents answered this question).

Figure 5: Respondents views on the impact of HMO problems and the Council’s response

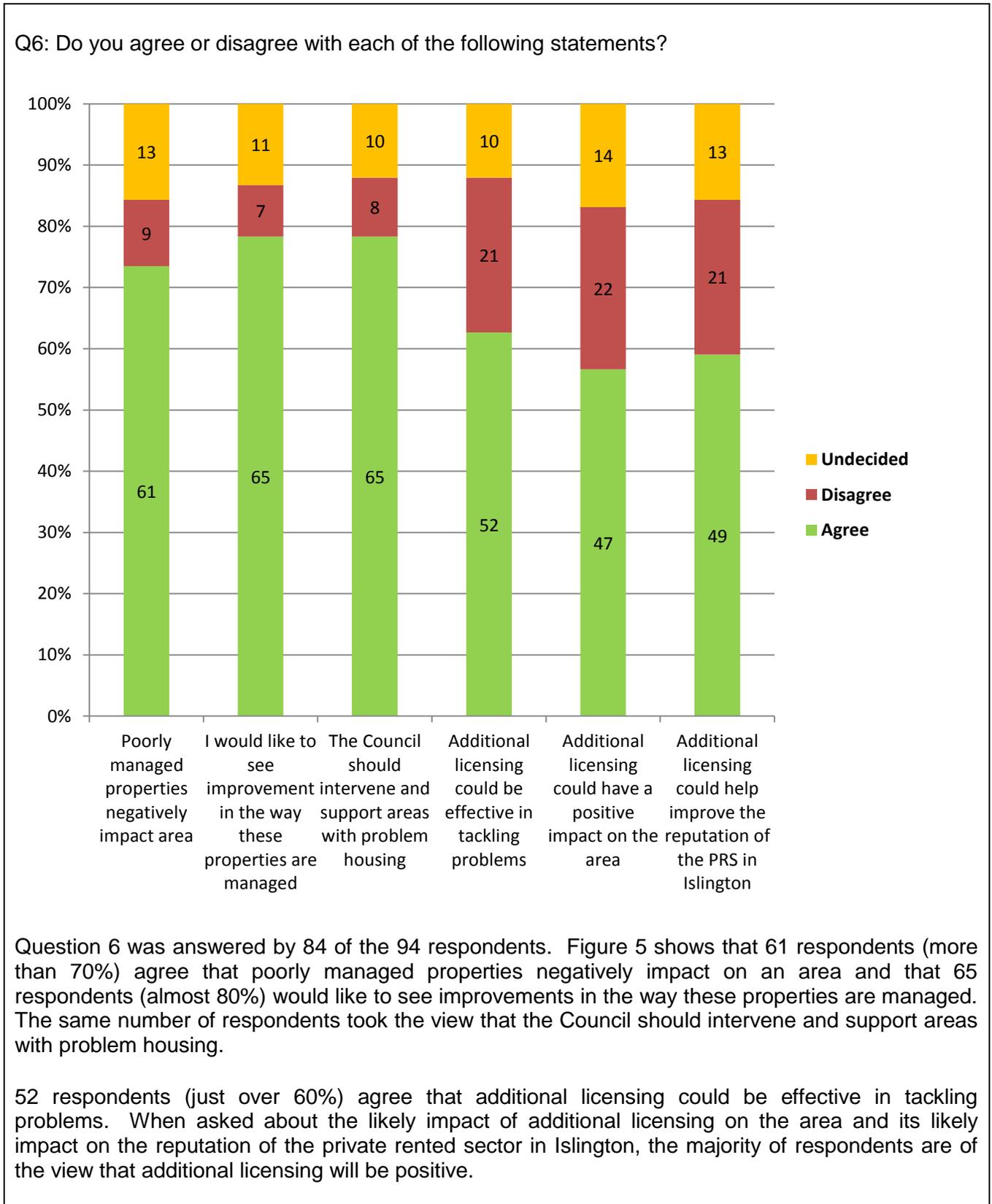


Figure 6: Proportion of respondents who agree/disagree with the Council’s licensing proposal

Q7: Do you agree with Islington Council’s proposal to introduce an area based Additional HMO licensing Scheme?

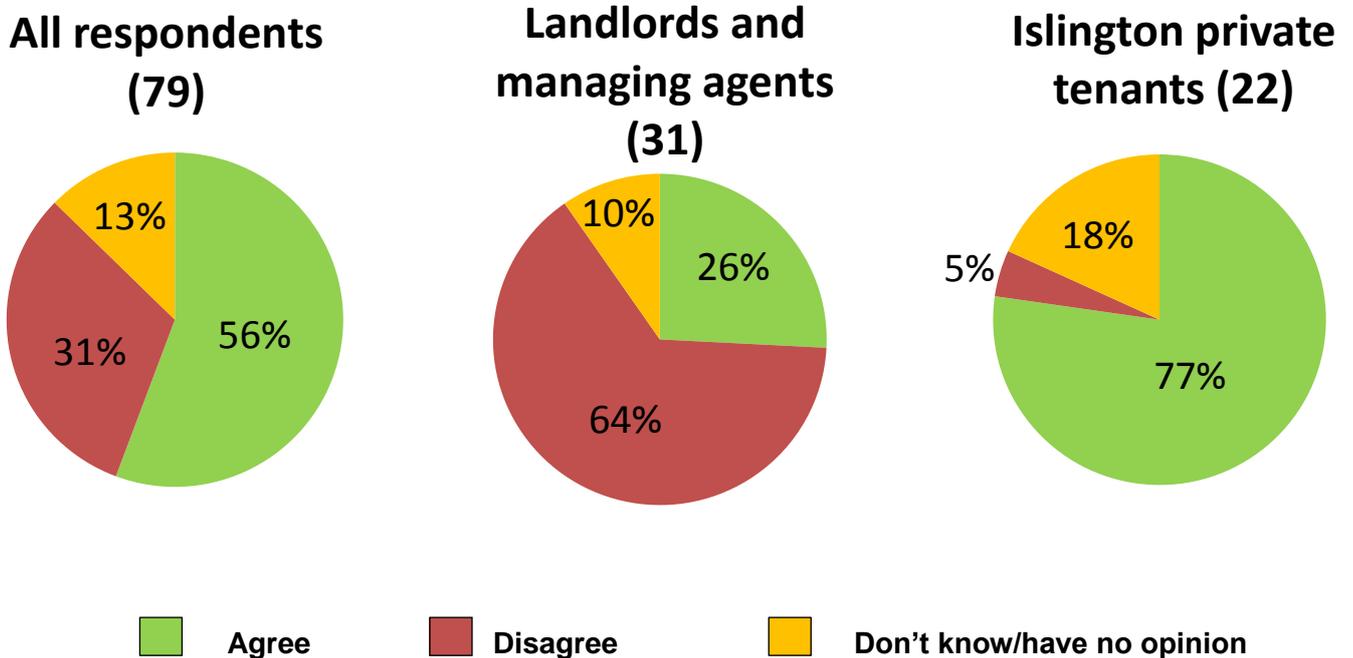


Figure 6 shows that of the 94 respondents to the online survey, 79 answered this question. 56% of those respondents agree with the Council’s proposal, 32% disagree with them and 13% didn’t express an opinion.

Further analysis shows that 31 landlords and managing agents answered this question as shown in the centre chart above. The majority (64%) disagree with the proposal although just over a quarter, (26%) agree with them and 10% didn’t express an opinion.

The remaining chart shows the views of the 22 private tenants in Islington who answered this question. In contrast with the landlords and agents, more than three quarters (77%) agree with the proposal to license, 5% disagree and 18% chose not to express an opinion.

Figure 7: Proportion of respondents who agree/disagree with the proposed fee structure for licensing

Question 8:

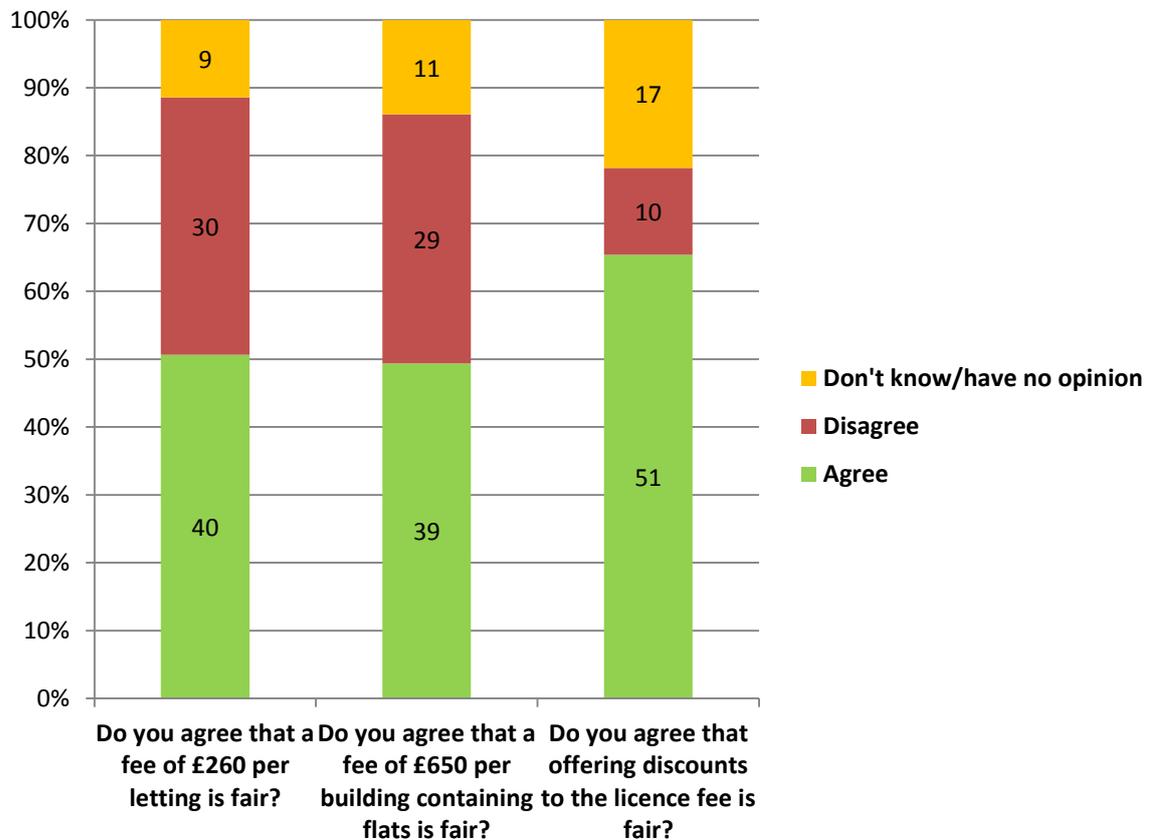


Figure 7 indicates 79 respondent's views on the Council's proposed licence fee structure. The balance between those who agree that the proposed fees (£260 per letting and £650 per building containing flats) are fair and those that disagree is less clear cut. Roughly 50% of respondents have indicated that they think both fees are fair while just under 40% indicate that they think both fees are unfair. It is apparent that the proposed fee structure for licensing is more contentious and this is reflected in many of the comments made in response to question 10 which are presented in Table 1 below alongside our responses.

In the final part of this question respondents were asked whether they agree with the Council's proposals to offer discounts for accredited landlords and preferential rates for early applications. 51 respondents agreed with this proposal, representing 65% of those who responded to this question. Just 10 respondents (13%) disagreed with the proposal to offer discounts on this basis.

Figure 8: Proportion of respondents who agree/disagree with the proposal to reduce licence periods where there is a history of non-compliance, poor property management and late/incomplete licence applications

Q9: Do you agree that shorter licence periods should be applied on this basis?

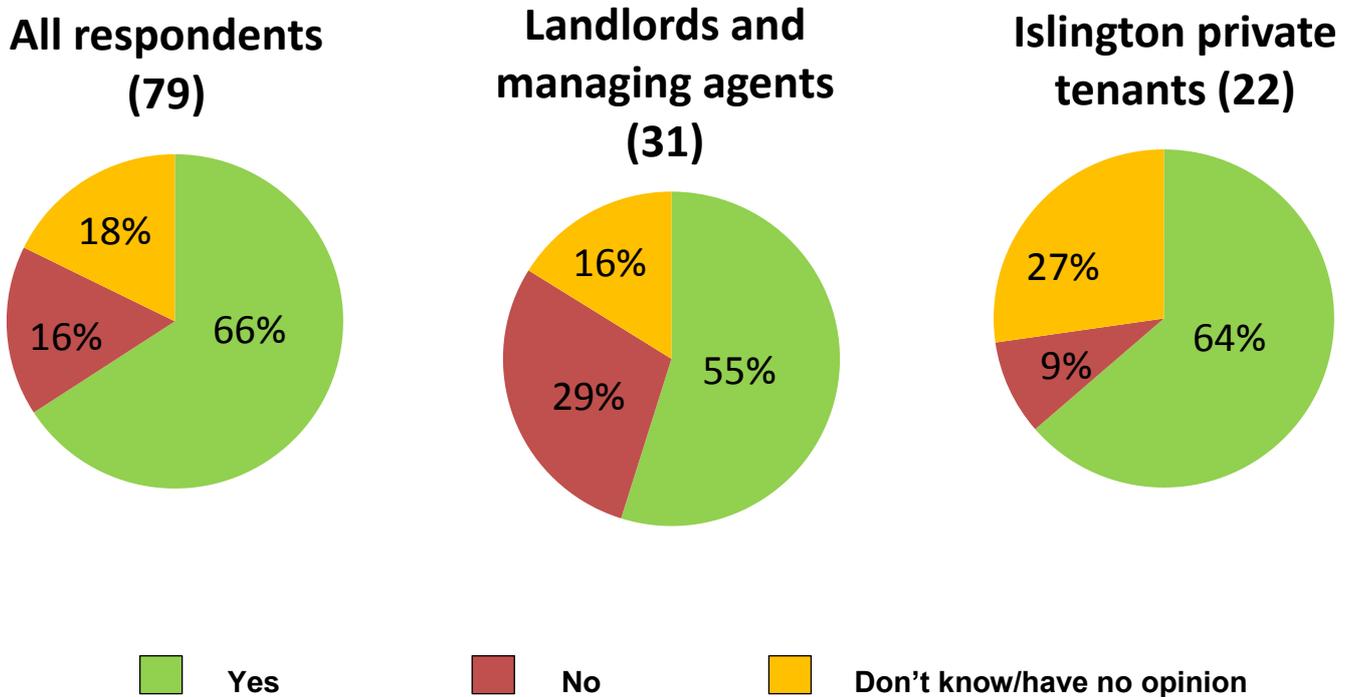


Figure 8 provides some detailed analysis of responses to question 9, the last of the structured questions in the online survey. Respondents were asked whether licences should be issued for shorter periods in circumstances where the council has some concerns such as where there is a history of non-compliance, poor property management and the licence application has been received late or it is incomplete.

Around two thirds of the 79 respondents to this question agree with this proposal for reduced licence terms in such circumstances. Further analysis shows that 55% of the 31 landlords and managing agents who answered this question agree with this proposal and 29% disagree with it.

Just under two thirds (64%) of the 22 private tenants who responded to this question support the proposal although over a quarter (27%) were not sure about this or had no opinion on it.

Question 10 provided the opportunity for respondents to comment further on the scheme proposals. These comments are presented in Table 1 below together with the date and time that they were received. They have been placed within certain themes that have emerged from the consultation. Every comment has been considered and we have provided a response at the end of each theme. In some instances we have also provided a response to specific comments where these are not covered by our comments at the end of the theme.

Table 1: Anonymised responses to Q10 [grouped by theme] showing date and time of questionnaire submission and [the Council's responses shown in blue](#)

Questionnaire design

First of all, I found this survey extremely badly designed. I was asked about Caledonian Road and Holloway road despite indicating at the beginning that I don't live exactly on either of these roads. Also, the questions were leading and seemed designed to elicit responses in favour of the licensing scheme. Everyone is in favour of improving housing, the question is at what cost and how should it be achieved. I moved to the area three years ago, and have lived in two places in that time. The most useful resource to me has been a combination of: spareroom.co.uk and relatively informal agreements with landlords. The flexibility and reduced cost of these arrangements worked out to everyone's benefit, in contrast with the anecdotal horror-stories of dealing with official letting agents. The problem of shared rental housing is entirely one of cost, and while there are problems with many flats, people accept these problems in return for living within a reasonable commute of central London. Anything that increases rental rates in the area will just accelerate the current trend, which is that soon nobody earning less than a junior lawyer will be able to afford to live in Islington.

30/10/2014 12:42 PM

Our response:

[We amended the on-line form so that questions 4 and 5 only applied to residents living in the area.](#)

Use of fee income

The survey has not mentioned what happens to funds accrued through licensing. I agree that poor performance in lettings should reflect in the length and terms of the license however cannot agree to a licensing fee where there is no information on what happens to the revenue generated by it.

28/10/2014 9:47 PM

Our response:

[We addressed this point in our frequently asked questions document which explained that the licence fee can only be used to pay for the cost of processing applications and monitoring, varying and revoking licenses.](#)

Fees and costs

The only problem for Private Tenants is that if you start to add on more fees & costs - they will affect the rental prices which are already expensive. Adding £260 charge to landlords will be passed onto the tenant eventually.

30/10/2014 1:07 PM

The survey fails to specify what is meant by an additional HMO licensing scheme. I presume that this means that properties smaller than those currently requiring licensing would suddenly require a licence. My properties are of a very high standard. They contain mains-fed smoke, heat and carbon monoxide alarms

and both gas and electricity are fully (and recently) tested. I am fully accredited. I fear that a licensing scheme as suggested would snowball to create a burden upon good landlords. The fact that you are contemplating a fee of as much as £250 suggests the burden ab initio.

3/11/2014 3:35 PM

I think that the landlords may pass over the cost of this to the tenants, inflating the price of an already expensive market. Also - this needs to be dealt with at a higher level. Another cause for poor quality housing is the LHA - landlords can rent TINY studios for hundred of pounds per week. Fair Rent assessments and a limit of HB paid for smaller low quality places. We are making landlords wealthy of the back of the taxpayer.

7/11/2014 8:26 AM

My only concern is that the cost of the licence is just going to be passed on to the tenants, making accommodation even more expensive - and for those of us who have no option but to live in shared houses/flats because we can't afford to do otherwise that could make the situation worse. However at least the quality of the accommodation should improve. The Council needs to somehow be able to set a cap on the rent. While I was looking for a new place to live about 18 months ago, I was shown an absolutely horrendous place on Holloway Road, above the McDonalds on the corner. Myself and another prospective tenant (not connected to me in any way) were both shown around a 'studio flat' by an agent at the same time and I was left speechless by the state of the place. There was one cramped room with a double bed in it and beside the bed was a wardrobe, at the bottom of the bed was a filthy fridge with the door hanging open (and looking pretty mouldy inside), on top of the fridge was a kind of cooker thing (looks like a microwave but it has a 2-ring hob on top) and in the corner of the room, with the wardrobe on one side and right next to the fridge/cooker on the other and very close to the edge of the bed was a shower cubicle! All squashed in together. The toilet was screened off in a separate cubicle room near the door to the bedroom (at the head of the bed) and that was it. Absolutely revolting, damp and dirty. Asking price of £800 per month! I actually couldn't believe the agent could keep a straight face - it was such a rip off. This was just one of the rooms in a multi-tenanted property (with all the rooms coming off one (or more) long corridor) - so I am sure that the landlord is raking in a fortune while the tenants are living in squalor. I think the only way they have been able to get away with this is that the close proximity to Metropolitan Uni means they can advertise to international students who may need to secure a place to live before they arrive, so probably pay up front before they've even seen the place - and maybe they don't know the going rate so think this is normal or good value. Personally I wouldn't live there even if it was £200 as it was so disgusting.

7/11/2014 2:33 PM

As a Landlord who owns an HMO in Holloway Road with 5 people living there, news of this extra expense / bureaucracy has convinced me that the time is right to serve an eviction notice on the tenants and then sell the property. We have spent thousands on the property over the last few years to meet the existing HMO requirements only to have the goal posts moved again - if private landlords like me cannot make a reasonable profit on their investment, it will just result in people ending up back on the streets with the council having to find accommodation.

9/11/2014 2:07 PM

it's difficult to answer these questions. If you mean that for every tenant in a shared flat there will be a charge of £260, i.e. this charge will be applied to each individual contract, then that is likely only to be passed on to the tenant, who is already undoubtedly being charged a large rental. £650 per building doesn't sound too bad, but if the building has 2 flats or 15, does the same amount apply? How can a 5 year license apply when tenants change on an annual basis? If the landlords are charged annually, this will only be passed on. In this particular block there is no overall managing agent. How can the Council help with this problem?

10/11/2014 3:05 PM

I am concerned at the level of fees. They are significant proportion of the rental level and will discourage landlords / managing agents from taking part in the scheme

12/11/2014 10:05 AM

I only agree with the license on the condition that the cost of it is not passed on to tenants

16/11/2014 10:07 AM

The costs to landlords are too high. Rogue landlords will not be willing to pay and will opt to risk non compliance and not apply for a licence. Also, once a licence has been issued, it should be indefinitely valid, unless there has been a complaint by a tenant and it has found to be reasonable and the landlord has not taken corrective action within a reasonable period of time.

16/11/2014 6:15 PM

The fees are highly excessive. For a four bed flat, with an accredited landlord, let to four friends under a joint tenancy agreement, you are proposing to charge £880. I can not understand how you think this is appropriate/reasonable. Many flats in Islington are let to friends who "houseshare", i.e. rent a single property together under a single tenancy agreement. Charging the landlord (and thus the tenants) this type of amount is disproportionate, and I feel that referring to "bedsits" and similar, when the vast majority of shared properties fall under the category above, is misleading.

22/11/2014 2:54 PM

[Our response:](#)

[Licensing fees cover the cost of licensing and the licensing regime will give assurances to tenants that standards are being met and where they are not, the council will take enforcement against landlords for non-compliance. This will result in improved standards of management and better living conditions for tenants. Licenses can be granted for a maximum period of five years which will equate to £1 per week per letting. HMO standards already apply to shared houses/flats occupied by three or more people and some buildings converted into self-contained flats that don't meet certain building standards.](#)

HMO Standards

I think for certain situations, the fee is too low. Something needs to be done to tackle the large scale slum development and money raking of landlords like [redacted]. [redacted] is infamous for his actions around islington including caledonian road. Over the last few years I've seen more and more dodgy looking developments to properties along holloway road which are just becoming nothing more than overpriced slums. Is there something else the council could do such as tackling the size of some of these properties, implementing or enforcing minimum standards for dwellings and requirements for storage and clothes drying space?

6/11/2014 12:32 PM

I m a chartered surveyor and landlord operating in brent Hillingdon and harrow. your proposed fees are twice those fees charged by other boroughs. regarding the room sizes for simple shared accommodation a normal min room size is 6.5m2,(brent harrow and hillindon use this size criteria) there will be cases where houses and flats have rooms less than the min 8m2 you request ? this may result in the loss of shared accommodation here where a landlord cannot provide the room size you request so lets the property as a whole ? Also you seem to limit the hmo s for shared houses to 5 rooms ? the legal planning limit is 6 ? and what if the property is much bigger and can accommodate more rooms ? are you saying 5 persons is the limit ? even if they had planning for say 9 rooms (I have a few with this quantity in other boroughs running very successfully) you also seem to prohibit individual leases and locks on doors, all of my tenants in shared houses want the security of a thumb turn euro lock on their door to protect their belongings and further security at night ? what if a group of students share and stuff gets stolen ? shared houses operate very well in the boroughs I operate where I pick the individual tenants and we have separate leases ? why would this not be possible I would welcome your comments [redacted] bsc hons mrics tel [redacted]

10/12/2014 9:38 PM

[Our response:](#)

[Islington's HMO standards were designed having regard to the type and size of properties found in the borough and the way in which HMO properties are occupied. Minimum room size requirements are covered in the standards taking into account how rooms are likely to be used. They make provision for a reasonable amount of private space in bedsits and bedrooms rather than requiring shared living space for tenants who have been recruited separately and lead separate lives. The standards also make provision](#)

for HMOs that are provided as a shared house and let to a group of people under a single tenancy agreement. However, larger houses occupied on this basis by more than 5 people will require additional facilities such as a second set of kitchen facilities in order to meet the standards. They will also require planning permission if let to 7 or more people. The standards do not prohibit suitable locks on bedroom doors nor occupation by more than five people.

The merits of licensing vs other options

There are better ways to improve the condition of properties than penalising landlords as a whole. There are lots of landlords who spend quite a lot of money providing good homes for their tenants. These people should be rewarded and those that are brought to your attention as being "rogue" landlords should be fined. If you tax the good ones - they will have less to spend on their properties making them better,

3/11/2014 3:14 PM

Whilst good housing is important, I'm sure there are enough rules and powers the council has already to deal with any actual problems. So this sounds like a power grab by the council to add red tape to oust or deter independent landlords with innovative solutions. Large estate agents will probably work with the council to make the rules to ensure they always pass and get the discounts. Therefore ultimately this will reduce supply and put prices up.

6/11/2014 11:58 AM

this sounds like a money making scheme from the council, the focus should really be on providing social housing for the shortage to accommodate the social sector and stop adding pressure to the private sector. We have excellent properties in superb condition, you have selected the worse streets in Islington to carry out your 'research' it isn't exactly painting a true picture. The burden should not be passed onto the private sector, all that will happen is landlords will pass on any fees to the tenants in rent increases, so again the end users bear the burden of the inadequate running of the council. It is a joke, and another point, you should really extend the period as to when all comments be in by, really 9th Jan, around Christmas period?? Come on!

20/11/2014 11:57 AM

I am a landlord and have always enjoyed excellent relationships with tenants. I have had to apply for HMO licensing in Haringey where I let a three bed house to three young professionals. I fail to see how the licensing will improve living conditions for tenants. Tenants can choose to live where they want and I believe generally you get what you pay for. I have had to raise my rents in Tottenham to cover the cost of licensing and I believe the additional licensing is a way for local authorities to generate more income. I fail to see how landlords completing an application form will improve living conditions for tenants

10/12/2014 12:30 PM

Use existing legislation to target existing problems HMOs. Licence all landlords with accreditation scheme....promote London Rental Standard, encourage membership of RLA etc. Let tenants "name and shame" poor landlords. DO NOT push high charges and admin onto reputable landlords. Fees are only passed on in higher rents. Landlords will be discouraged further reducing supply and hiking rents. Work WITH not AGAINST decent landlords. Many of the questions on this questionnaire are hopelessly "leading" and results are statistically non valid. A question stating: "Private rented properties have problems.....do you agree Islington private rent properties have problems" is an example. The respondent has been postulated a hopelessly leading question! A questionnaire should ask neutral non leading questions. Hope this helps. Call me [redacted] if I can advise or help. As a private landlord of over 20 years experience I would be pleased to show you any of my places and show how it can be done. I am not happy to pay £1000++ per property to pay for admin like this. The rogue landlords will not partake anyway. Better to pay this money to someone in need and devote resources to improving rental standards in a way which will work for tenants

10/12/2014 12:48 PM

Additional licensing seems to be an over reaction to what is a small problem in the private rented sector.

The council can already become involved if a tenant reports a problem and there are numerous avenues already to peruse the landlord. A licencing scheme will add additional costs to good landlords and from what i can see these seems to apply to a two bedroom flats let to sharers, so I can assume that the number of properties requiring licencing will be massive and the bad ones will not register anyway.

10/12/2014 1:43 PM

1. Licencing has been tried out in London Borough of Newham and it has aliened private Landlords, as the council has set about to smear the private sectors. 2. Homeowners are finding it difficult to sell their homes, as banks are reluctant to lend in areas of Licencing. 3. HMO Licencing is discriminatory against single people. A Landlord with a 3 bedroom property, would not want to rent a vacant property to 3 nurses, but rather to a family, as the property would not require license. Most social housing favours families. Only private landlord cater to single people. 4. A Landlord renting a two bedroom flat to two ladies would NOT require an HMO license. However, if a boyfriend moved in, it would require a license. A Landlord would have to stipulate that a boyfriend cannot move in, as it would turn the property into an HMO. A landlord would be forced to evict the tenants if they breached the terms of the tenancy. Landlords do not trust Councils and their motives for Licencing.

10/12/2014 3:06 PM

I am against licencing smaller HMOs. I'm accredited landlady and run HMOs in quite a few London boroughs. There are enough laws and regulations to prevent renting private properties in poor condition Housing Act 2004, Housing Health and Safety Rating System to name a few. If council is interested to protect tenants it could just enforce existing laws and regulations. There is no evidence that additional licencing has reduced levels of antisocial behaviour in the areas its been implemented. I oppose to the scheme as I think additional licencing is being used by cash strapped councils to fund their housing enforcement services. In some cases courts showed that licence fees council charge are higher than necessary level prescribed by law. Its good and compliant landlord that are hit by hight fee, but do not need this regulation. Rogue landlords keep operating "below the radar" and little action has been done against those criminal ones. There is very little use for the "fit and proper person" condition to stop wrong persons to become landlords. There are financial implications for the additional licencing: High fees would be passed onto tenants that will further increase their financial burden. In the areas with additional licencing it is impossible to obtain regular buy to let financing, which can lead either to more expensive mortgages that will inevitably increase rents or altogether withdrawal of private landlords from the area, which will increase homelessness and thus criminal activity levels. There are no clear timescale and objectives that council has set to achieve by implementing additional licencing scheme. This means that this scheme success or failure can't be measured to see whether it gives results or fails to achieve results and should be abandoned altogether. This also means that the purpose of this scheme is not to improve antisocial behaviour and properties condition, but merely to gain more control over landlords and collect more fees. As a result of all the above issues I strongly oppose to the additional licencing scheme in Islington and will quit operating HMOs in this borough shifting my funds to other boroughs that are boot seeking to introduce additional licencing.

10/12/2014 6:07 PM

Licencing is an important way for local authorities to maintain good conditions and ensure proper management in the private rented sector. It is absolutely essential for a scheme of this sort is a mandatory requirement, rather than a volutar endeavour, as we frequently see very low participation in voluntary initiatives, and such schemes do not allow local authorities to properly target the worst properties and landlords. In conversation with the local private tenants' group, Islington Renters, and through contact with other local private renters, it is clear that the affected area has many problems in terms of poor conditions, overcrowding and unprofessional management. Licencing helps to regulate a poorly understood sector and the costs associated with it are minscule to landlords when taken against their rental income and capital gain. Furthermore, as a business, landlords should expect associated costs and being willing to bear them to ensure tenants and properties are protected. We believe this new additional licencing scheme is an important step forward for Islington and part of a promising and wider initiative to ensure that the borough's private rented sector is decent, affordable and secure.

6/1/2015 1:10 PM

The reason we selected "no" when asked whether we agree with Islington's area based additional licencing scheme is that we feel that there is a lack of information about how this area was identified and the process

used. We are also concerned that the introduction of additional licensing could divert staff resources from existing reactive work. We are aware that Newham allocated considerable staff to carry out inspections. Although, licensing in Islington may be on a smaller scale, from the information we have received to date, we have serious concerns about the levels of staffing identified to undertake the inspections. We feel that it is vital that full HHSRS inspections are carried out within a period of 8 weeks. To alleviate confusion and provide clarity, we feel that it is essential that tenants can conduct a simple web search on properties to establish whether the property is licensed and, if so, what, if any, inspections have been carried out. This will also assist advice agencies, letting agents and offices like ours (which run landlord registration schemes). Our view is that the landlord is almost certainly likely to pass on the costs of licensing to tenants. We feel, therefore, that it's important to keep licensing costs to as low a level as possible. We also feel that it would be appropriate to extend discounts to landlords who let rooms within their own home.

6/1/2015 2:43 PM

Our response:

The evidence collected from our street surveys indicates that significant problems exist in the majority of HMOs along both Caledonian Road and Holloway Road. It is clear that current arrangements, which rely on us reacting to tenants' complaints and undertaking proactive street surveys across the borough are not sufficient to deal with the problems identified. Our work with landlords, through the Islington Landlords Forum and by encouraging accreditation through the London Landlords Accreditation Scheme (LLAS), helps to encourage good practice from those that are interested but does little to address the problems identified in these HMOs. With evidence that 68% of the HMO properties we visited in the two areas are poorly managed it is right that the cost of increased regulation should be met by the industry. Incentives are planned for accredited landlords as recognition that licensing their properties is likely to involve less work.

Enforcement

If we want to truly improve the quality and safety of accommodation this needs policing. Additional licensing is vital but so is the policing of non-compliant landlords. Councils must visit all homes in the area and establish the usage so that compliant landlords do not feel victimised. As an agent we often have to turn away business when a landlord is looking to let an HMO but holds no licence. We then later see it let by unprincipled agents or landlords let it themselves.

3/11/2014 11:54 AM

The council need to act robustly and prosecute rogue lease holding landlords. The council have the richness of information at their finger tips and seem to dilly dally and procrastinate bringing slum landlords to justice. I live in an HMO, known to the Islington Environment department. The building has so many Health & Safety issues, lack of lights in communal areas, main entrance not securely locked (attracting entrance by intruders), surrounding court yard and gutters not maintained. The entire building has structural/architectural faults. Every flat in the building has dampness issues. I have a chronic skin condition, and my son has asthma contributed by living in a damp environment. The council knows the owner/ freeholder of the building. Why can't they seize his accounts freeze transactions of all monies that go into his accounts, maybe that will make him do some work in my building.

8/11/2014 12:24 AM

Whatever the fee is, it will be passed onto those who rent, and increase rental prices. So the scheme must be effective in tackling poor management. Good landlords should be able to pay less; they can then either pocket the difference or lower the rent for tenants.

14/11/2014 7:26 AM

I think the rental sector as a whole requires better regulation. Good tenants are often treated abysmally by landlords/estate agents who don't care about mice infestations, mould or other problems. There are bad tenants as well but in Islington where rents are quite high I imagine that this is not as much of an issue. The noise on Holloway Road is appalling and there are a lot of dodgy characters hanging around, smoking weed etc. better policing/more regular patrols would help to make the area safer.

16/11/2014 10:31 AM

As a landlord of a property owned by Islington for the past 20 years, I have been witness to appalling management by Islington Council itself. Also, when I have reported others breaching HMO regulations, nothing was done. How on earth are they going to oversee others managing their places properly, when they seem neither to have the staff nor the money to look after their own properties. In theory it makes sense, in practice, nothing will change because no one will enforce these conditions.

10/12/2014 6:27 PM

Our response:

We are committed to taking enforcement action where we find non-compliance with licensing requirements. We will be inspecting properties and taking enforcement action against landlords for failing to license and for operating HMO properties found to be sub-standard.

Wider problems of noise, crime and anti-social behaviour from outside are beyond the scope of additional HMO licensing schemes but we have alternative services in place to deal with these issues.

Scope of licensing and potential exemptions

The scheme should be applied to the whole borough as similar problems are widespread throughout the sector, and this would help to redress the balance of power that is currently heavily weighted in favour of landlords. I answered no to the questions regarding properties in these specific locations as I haven't lived there myself. These questions should be limited to residents.

3/11/2014 5:29 PM

Your questions are biased and are based on tenants answering this rather than having a separate questionnaire for Landlords. As for your fees, while attending a LLA course (because regardless of the outcome I can only see this being enforced by Islington as the consultation is a smoke screen to show that you are giving us a partial voice.) it was stated that BRENT councils offered a 50% discount to encourage landlords to sign up and so the fees were under £300. I attended the meeting on the 8th December and basically no new information was offered, and yes I was surprised so few attended such an important issue. I also feel that once this A-HMO has been pushed through the few landlords that do sign up will end up being persecuted as opposed to you chasing those that flout the new rules. Further to this I think it is a disgrace that this is purely focussed on two key roads and I am sure that many of the side roads leading off these two roads will show you how bad some living conditions might be. and really this should cover a much wider area as it doesn't seem to go as far up the Holloway road as it could if what I recall from reading the documents.

10/12/2014 3:38 PM

I think Islington should be looking at a borough wide scheme. This would ensure a consistent approach to all properties and discourage landlords relocating to other parts of the borough.

19/12/2014 5:10 PM

We believe the licensing scheme should be extended to include all private rental properties and all of Islington, especially other problem areas in Finsbury Park. Tenants should also be supported in seeking redress for non compliance. At the moment tenants do not enforce what little rights they have under housing law for fear of retaliatory eviction. Being supported in retrieving rent repayments would motivate them to speak up about their renting conditions - they are still exposing themselves to the risk of retaliatory eviction but may receive financial retribution to allow them not to lose out too much in the process.

9/1/2015 4:56 PM

The bad state of repair of privately rented properties is not restricted to Holloway Road and Caledonian Road. We live on Parkhurst Road, where a number of properties are in a bad state of repair. The house next door to our property is in a bad state of repair- and this affects the look and integrity of the building, but what is more, as no-one takes responsibility for the front garden this has become overgrown. The weeds are unsightly, but a more serious problem is that the trees are completely overgrown and block both the public pavement at the front of the house, and also the path to our property- the tenants in the property

have not done anything to cut this back in spite of the extent of its overgrowth as they say that it is the responsibility of the landlord. It would be good for the borough if the council could recognise the bad state of repair outside Caledonian Road and Holloway Road, and act on the overgrowth of plants and trees in the front (and back) gardens of privately rented properties when they grow into public spaces or other properties.

4/11/2014 12:59 PM

Our response:

We accept that poor conditions and poorly managed HMOs can be anywhere. Licensing is being introduced in these two areas as we have identified that there is a concentration of problem HMOs. The scheme will be reviewed in the future to evaluate its success and to see if it should be applied to other areas where similar problems exist.

As a landlord with dedicated purpose built student properties which are registered and inspected by ANUK National Code of Standards we would propose a complete exemption from licensing for these properties. As a fee is already paid to ANUK we would certainly not expect to pay one to Islington. We have looked at the information provided and do not concur that you have provided enough evidence to support your justification that licensing is required or that would give you powers that the authority does not already have

3/11/2014 12:26 PM

Our response:

We have considered this point and, given that they are already subject to a regulatory regime that appears to be effective, we will be exempting these properties.

Hi, I'm an occupier-owner in Islington and in the process of acquiring a three bedroom, 2002 purpose-built flat in Islington, just outside the proposed application area Holloway Road. We're considering letting the 3 bed. The flat is 30 meters away from the proposed zone, so while I am not concerned by the first application of the scheme, I am concerned by any future extension of the scheme, as it would catch this flat if we decide to let it to 3 flat-sharers instead of one family. I therefore have a number of concerns 1) Exemption for modern, purpose built flats Could purpose-built, recent flats be exempt from the scheme ? I understand the driver for this scheme is poorly maintained old flats and conversions. Perhaps purpose built flats built recently (after 1995 ?) could be exempt, especially 3 beds, so that you can target more precisely the problem areas while not affecting flats in good repair ? 2) Extensive notification or exemption of current tenancies, prior to application or extension of the scheme Could there be an extensive notification period before any extension to the scheme, or exemptions for tenants that were already living there at the time of the extension of the scheme ? This will reduce the risk that owners of 3-bed close to the application areas pre-emptively decide to stop renting to flat sharers, in order not to be caught by surprise by the licensing scheme. 3) Clear guidance on HMO requirements with indications of additional costs. There is a lot of guidance on HMOs but very little "clear" guidance on the mandatory requirements to follow and indicative costs. Most landlords are not so much afraid of the licensing costs (which while steep can be amortized over 5y) but more of finding endless time-consuming and costly additional steps to follow for additional safety checks. The various 3rd party inspectors seem to all be incentivized by fear of civil liability to recommend steps that go much beyond what the law requires (e.g. many fire inspectors recommend adding internal fire doors while that's definitely not something the law requires for buildings that were compliant at construction). Therefore clear guidance over what is mandatory, rather than recommended, would be helpful. Thanks [redacted]

30/11/2014 10:45 PM

Our response:

Purpose built blocks of flats and buildings converted into flats to modern (post 1991) building standards are not HMOs and are therefore outside the scope of licensing. However, if an individual flat in a purpose built or modern converted block is let to three or more people who are not all related then that flat will be licensable as a HMO under the proposed scheme. This is because HMO management regulations and HMO standards apply and we need to ensure that these requirements are met throughout the licensable area.

Hi there, I am very happy to hear about this scheme and to be fair it is well overdue. I live at [redacted] Holloway Road [redacted] and we have a terrible FreeHolder/Freeholder managing company [redacted] looking after the communal areas of our building. The place is falling apart (poor lighting, damp problems, broken entrance door lock, the building outer brick work needs re-pointing, rotten windows, water leak problems, cracks in the walls, mice & bedbugs, etc.. In the last couple of years we even had instances of homeless people entering the building and urinating on the flat doors..) and the not even the cleaning is done regularly.. ..Plus some of the flats are definitely overcrowded and some of the landlords may be aware and some others may not.. Apart from the licensing fee, the question I am asking is how are you planning to monitor that the buildings, houses and flats are actually managed properly? It seems very easy to ask people to pay an additional fee but will this really make a difference in practical terms or maintenance and repairs? I hope you will take my views into account. Kind regards, [redacted]

20/11/2014 1:55 AM

[Our response: From our street survey evidence we understand that management problems are widespread in older converted blocks that have a low proportion of owner-occupiers and we are going to include these types of HMO properties in the licensing scheme.](#)

I do not think it is right that landlords are to be charged further costs if they are already using a managing agent who should be ensuring the property is legally compliant. I appreciate the dilemma with regards to rogue landlords and that something needs to be done to crack down on their presence in the housing market but I do not think that responsible landlords should be out of pocket in anyway to combat this. Technically there isn't anything to stop irresponsible landlords continuing to rent their properties as HMOs without a license, unless they are investigated individually, in which case the investigation into them should just address the living conditions and ensure the property is well maintained and managed instead of whether it has a license. Perhaps if a landlord/property is reported and found to be in breach, that landlord could then be subjected to having to pay a license fee as a penalty and subjected to regular inspections to ensure they maintain an acceptable standard in future.

10/12/2014 1:16 PM

Where properties have three or more stories internally, I understand why you would want an HMO license for shared properties but for properties that are managed or let by an agent, the agent ensures that the property complies with safety regulations etc. In buildings where there are more than one property (house conversions into flats) its is up to the freeholder to ensure that the properties comply with safety regulations. The council has recourse against the freeholder and can fine them if they fail to ensure the building complies with lighting in hallways, smoke alarms etc The negative impact of asking for licenses for dwellings on less than three floors (ie single storey flats) which are occupied by more than one family, is that you will find many landlords will not wish to comply. They will no longer invest in purchasing properties in the area and will probably sell. It will cause a housing shortage in the area which will ultimately drive up rents due to a supply and demand issue

10/12/2014 1:12 PM

[Our response:](#)

[Both the street survey evidence and our wider work in regulating housing conditions has found little or no distinction between properties let directly by landlords and those let through a managing agent. Our experience in relation to HMOs is that few agents have the specialist knowledge, expertise or time to manage these properties effectively. As a result we cannot see any justification for excluding properties that are let through a managing agent.](#)

Impact on housing supply

In principle, the licensing scheme is a good idea. However, there is a risk that upgrading of properties will push out former tenants. As a former tenant of [redacted] Holloway Road myself, it seems to me that many of my neighbours went through enormous stress and had to leave the borough to find somewhere to live after the council declared their rooms unfit for human habitation. So better standards of habitation yes, but

not if it results in social cleansing. The root problem is the lack of affordable housing and that needs to be addressed, e.g. through rent controls, increase in council housing etc.

21/11/2014 10:14 PM

The scheme should be extended to Hornsey Road and Seven Sisters Road....which experience similar problems...and in some cases are even more problematic than Cally Road and Holloway Road . The Council needs to very seriously think about what it is doing here with this proposed policy. The real problem of re-classification to HMO's means that it may no longer be viable and economic for landlords to run these properties as rental stock. HMO classification makes it very difficult for landlords to raise mortgage finance on properties. The outcome of the potential proposed policy may be much more significant than improving the housing stock. It may mean that lower value rental accommodation is taken out of the area for 3500 potential tenants because landlords are forced to see the properties because of the difficulties of raising mortgage finance on them. Clearly, such a significant POTENTIAL reduction in the PRS IN ISLINGTON should not be a policy objective for the Housing team at this moment in time. So YES. Some VERY SERIOUS THOUGHT PLEASE BEFORE THE COUNCIL PUSHES AHEAD WITH THIS!!

11/12/2014 8:23 PM

Our response:

All private tenants have a right to expect reasonable minimum property and management standards for their homes. Additional HMO licensing is being proposed to address problems identified with both property management and conditions in Caledonian Road and Holloway Road. At the same time we are working hard to increase the supply of affordable housing in the borough and to help residents access the private rented market through a range of initiatives including plans to establish a social lettings agency.

Licensing does not reclassify properties as HMOs – they are already defined as HMOs in law and are required to comply with HMO standards and HMO management regulations. We have conducted recent research that indicates there are many mortgage products available for licensable HMOs and licensing is not imposing any higher standards than already required.

It is our view that licensing will enhance the viability of the HMO market and ensure it is fit for purpose.

Other views

I think this is an excellent idea

29/10/2014 4:22 PM

When I was a councillor I visited a number of private rented flats on Holloway Road and found them to be poorly designed and poorly maintained with the maximum amount of people crammed into the minimal amount of space. I strongly support more regulation of private rental accomodation.

31/10/2014 5:50 PM

i have property in Newham and its a money raising issue with no benefit to anyone other then the bureaucrats pushing paper in the councils offices..

3/11/2014 6:28 PM

My work as a Fire Safety Officer in Islington informs me that there is still an unacceptable amount of residential accommodation of all types without adequate fire detection equipment. Too often Landlords appear to put profit before safety or simply do not understand their duty as a Landlord. Islington Council have identified a significant problem, therefore an additional licensing scheme appears the only way forward.

4/12/2014 9:57 AM

The issue is that there is too many people and too much housing. Islington should set much stricter rules on council houses and reduce the burden on your taxpayers. People should only be granted council accomodation if they have proof they have paid into the system for at least 15 years and lived locally for a minimum of 15 years. Private rents should be much controlled - so Islington can charge landlords for sufficient supervision of housing and safety standards. Islington should do as much as possible to

discourage slum accommodation, slum landlords and an ever-increasing burden on the welfare system. It's time to house more people in the north rather than packing more and more into London.

30/11/2014 2:33 PM

Licences should be issued on a trial basis first, perhaps for one year. If the property is compliant and the tenant is safely housed, then the licence should be extended, perhaps even stipulating a certain time period that the tenant should be kept on (particularly where the tenant has paid in full their dues and are not misbehaving or in arrears).

5/11/2014 3:33 PM

Our response: We have to plan the running of the licensing scheme to make best use of the available resources. The consultation has shown strong support for the idea of issuing some licenses for a shorter period of time where there are some prior concerns about the property or the landlord/manager. Whilst this option is being explored, it would be unreasonable and too resource intensive to do this for all licenses issued. Licenses cannot be used to restrict tenancies.

There are a number of very large properties with 6 or more bedrooms that should be capable of being let out to groups not as HMOs (if HMOs are let to people individually by the room).

18/11/2014 3:28 PM

Our response: Properties let to three or more people who are not all related are HMOs and will be subject to licensing under the proposed scheme.

I believe that the main concern at the moment is the area itself. The pavement on Holloway Road, particularly around Highbury Station. I frequently see people and I have myself, tripped up here. The noise on the street can be very bad. I have lived on the street in different buildings, and have always had this problem

19/11/2014 9:39 PM

I have found that unfortunately, a housing association I have rented a room from, since 2003, apparently has no powers to properly intervene, in cases of rent arrears from other lodgers, or be able to give proper tenancies or a very necessary support system to those who have managed rent payments for the whole of a multiply occupied, shared property. When dealing with an ongoing serious situation; in which others are systematically defaulting on rent and bills and acting in an abusive, threatening manner to other lodgers who pay for the whole property, by harassing them, both in subtle and overt ways, including refusing to accept their right to live in the property peacefully, or allow them to have properly managed tenancies by the housing association.

20/11/2014 2:46 PM

It has not been possible in the past for me to get written confirmation from Islington Council on whether my property is a HMO or not. I could only achieve a verbal confirmation that it wasn't a HMO from an Islington HMO housing officer. This is unacceptable.

10/12/2014 11:46 PM

Please also see written consultation response submitted via email to Torben Wood.

9/1/2015 5:58 PM

Our response: These comments have all been noted. Written responses that were received in addition to the survey have been considered and replied to.

Outcomes

The responses we received have provided valuable feedback on the proposals and have been carefully considered. They ranged from some respondents calling for licensing to be extended across the entire borough to all private rented properties through to those calling for the licensing proposals to be dropped completely.

The option to introduce a wider licensing scheme covering other private rented properties (known as selective licensing) and/or HMOs across the borough was considered during the initial stages of developing the proposed scheme. Selective licensing can only be used in areas of low demand or where there is evidence that anti-social behaviour is linked to inadequately managed private rented properties. There is currently no evidence that either of these circumstances apply in Islington.

The option to proceed without operating an additional licensing scheme in Caledonian Road and Holloway Road has also been considered at length. This is reflected in our response to comments shown in Table 1 under *the Merits of licensing vs other options*. However, it has become clear that the alternatives which rely on increasing enforcement activity and further promotion of self-regulation (such as accreditation and training) will not adequately address the concentration of problems identified with HMO accommodation in the two roads. Instead, the additional licensing scheme is proposed alongside those other measures in order to bring about the widespread improvement needed in Caledonian Road and Holloway Road HMOs.

Several respondents have provided suggestions as to how our proposals can be modified and improved. As a result:

Scope of licensing and potential exemptions

Prior to the consultation we were looking at whether there was merit in restricting the application of licensing to exclude converted buildings containing flats that do not meet modern building standards where a proportion of the flats are owned by persons other than the freeholder. (Where these older converted buildings contain flats and less than two thirds are owner-occupied by long leaseholders, they are a defined type of HMO). The thought behind the potential exclusion was that long-leaseholders can exert their influence to address block management problems. However, that is not borne out by the evidence collected in our street surveys and feedback received through the public consultation has highlighted this as an ongoing problem that can be addressed through licensing.

Another consultation response highlighted the potential for unnecessary duplication of regulation in relation to large purpose built blocks of privately operated student accommodation. As a result we have reviewed the impact of the Accreditation Network UK (ANUK) National Code of Standards on the management of these properties, taking into account the results of our street surveys which included a number of these properties in Holloway Road. They were all found to be well-managed and we have concluded that this alternative regulatory regime appears to be effective and precludes the need for additional licensing of this type of accommodation. The proposals for licensing will therefore include an exemption for student accommodation that is registered and managed in accordance with the [ANUK National Code of Standards](#) which has been approved by the Secretary of State under section 233, Housing Act 2004.

Fees and costs

We have reviewed the fees proposed for licences and concluded that the fee levels proposed accurately represent our costs in administering licensing and do not place an undue burden on the HMO market. Discounts for accredited landlords are being proposed

within the fee structure. However, having given further consideration to the practicalities of early applicant discounts, we have concluded that these will not be applied to the scheme.

With the support shown in the survey for the use of reduced term licences where there is a history of non-compliance, poor property management and late/incomplete licence applications, we have decided to develop this policy further so that it benefits compliant landlords and focuses licensing on those that require more regulation. Based on a five year licence the fee equates to £1 per unit of accommodation per week. (We also recommend that landlords take advice on the extent to which licence fees are tax deductible against their tax liability).

With regard to the wider cost of compliance HMOs licensed under the proposed scheme will not be required to achieve higher standards than what is already required for non-licensable HMOs by HMO management regulations or the Council's locally adopted HMO standards.

HMO standards

The HMO standards adopted in Islington under section 65 Housing Act 2004 have been designed to reflect the types of properties found in the borough and help to mitigate the problems experienced in shared accommodation of these different types. They cover space requirements, kitchen and bathroom amenities and reasonable ratios for use of these amenities. They also cover a limited number of other requirements such as heating and the number of power sockets to be made available in each unit of accommodation. The HMO standards were published as part of the information pack to support the public consultation and some respondents have commented on them. We are satisfied that the HMO standards have been effective over several years, having been applied with some flexibility that has taken into account the views of landlords, tenants and case reviews by Residential Property Tribunals. They apply to both licensable and non-licensable HMOs and we will use licensing and other legislation to bring about their widespread application in HMOs across the borough.

Enforcement

The view expressed by a wide range of respondents that effective enforcement is vital to achieving the improvements to the HMO sector required in the two roads has resonated strongly with us. As part of its wider Housing Strategy, the Council takes a rigorous approach to enforcement and has prioritised action on a number of recent high profile cases. The proposal to introduce an additional licensing scheme in Caledonian Road and Holloway Road where there is a high concentration of poorly managed HMOs provides a mechanism to target regulation and additional resources to where it is most needed. Within this context a range of coordinated measures will be taken to maximise compliance. These include effective:

- publicity to ensure that landlords, letting agents and tenants are aware of the scheme, how to apply and how to report unlicensed or non-compliant HMOs
- use of the policy on reduced licence periods
- sharing intelligence across council services and with outside agencies (e.g. HMRC, mortgage lenders and anti-fraud agencies), to assist with achieving compliance and taking action against non-compliant landlords
- targeted programmes of street surveys and inspections to identify unlicensed properties
- prosecution and the application of further penalties such as Rent Repayment Orders for landlords who ignore the requirement to licence their properties

Impact on housing supply

A number of respondents have expressed concern that an additional licensing scheme could result in a reduction in the number of HMO bed spaces available and limit the supply of lower cost accommodation in the two roads. Having assessed the available information we do not agree that this will be the case:

- Firstly licensed HMOs operate successfully under the existing mandatory scheme across the borough, including several located in Caledonian Road and Holloway Road.
- For good landlords the cost of compliance through licensing does not vary significantly from the cost of compliance using alternative mechanisms including self-regulation. Licence fees will equate to £1 per unit of accommodation per week with potential for off-setting this additional cost against tax liabilities.
- The mortgage industry appears to be recognising that the risks associated with lending to non-licensable HMOs can be equal to or greater than those associated with licensable HMOs and this artificial distinction is weakening. As a result the number of mortgage products available for licensable HMOs is increasing and any difference between the rates that apply to licensable and non-licensable HMOs appears to be reducing.
- We accept that landlords who do not want to comply or to provide well-managed HMO accommodation, or have unsustainable business models may choose to leave the market, resulting in the withdrawal of some poor quality HMO accommodation. However, continued strong demand will provide opportunities for good landlords to operate successfully. Population growth predictions given in [Ward Profiles](#) for the ten wards that would be affected by the proposed scheme show that the overall population of each ward is set to grow by between 7% and 20% between 2011 and 2020. Meanwhile the Census data for 2011 shows that, if the trend between 2001-2011 continues, the greatest increase in population is likely to come from the 20-29 age group, those who are most likely to occupy HMO accommodation.
- Against this background we anticipate that some landlords who have previously limited occupation of their HMOs to four people in order to avoid mandatory licensing will re-assess their options and choose to increase occupation to maximise yields under the licensing scheme.