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Y Gweinidog Tai ac Adfywio
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Llywodraeth Cymru
Welsh Government

Ein cyf / Our ref: LF/CS/0105/14

Christine Chapman AM
Chair
Communities, Equality and Local Government
Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

 January 2014

Dear Christine,

Thank you for your letter of 22 January in which you request further information about the code of practice setting standards relating to managing rental properties that Welsh Ministers may issue under Section 28 of the Housing Bill in relation to the private rented sector. The code will relate to standards of management, but it will contain recommendations on good practice in relation to property condition that are linked to the Housing, Health and Safety Rating system (HHSRS). The code will be based upon the existing Landlord Accreditation Wales (LAW Code of Conduct and the Property Ombudsman Code of Practice for Residential Letting Agents. Section 14 of the Bill makes compliance with the code a condition of a licence.

Work on the content of the code is underway and I can confirm that it is likely to be in two parts. The code will cover both the relationship between landlord and tenant and that between agent and landlord. It is likely to contain references to other legislation that sets out requirements in these areas, where appropriate.

The content of the code is likely to cover the principles of good management within the following areas:

Insurance – a requirement for landlords to have the correct type of insurance

Documentation – requirements for landlords to keep accurate and up to date records

Tenancy agreements

Inventories

Payments – records of rent etc.

Anti Social Behaviour – landlords ensuring as far as possible that tenants do not cause nuisance or annoyance, a matter which affects the enjoyment by neighbouring residents of their homes.

Pre tenancy repairs – agreement as to what needs to be done with deadlines

Building Regulations, Planning Approval and Qualified Contractors – i.e. adherence to these requirements when improving or renovating property
Property condition – recommending that steps are taken to ensure that properties are free from Category 1 hazards under HHSRS and minimum standards of property condition
Repairs and maintenance – minimum timescales for these to be carried out
Visiting the premises – requisite notice to tenants so as not to contravene the right of quiet enjoyment
Regaining possession – i.e. only by lawful means
References
Ending tenancies
Client Money Protection – for the part of the code covering agents

The code is yet to be finalised but our intention is that they will be developed with the sector. Section 28 requires the Welsh Ministers to consult on a draft code, whether new or revised, before it is laid before and approved by the National Assembly.

Yours sincerely,



Carl Sargeant AC / AM
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Minister for Housing and Regeneration