

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-S29
Ein cyf/Our ref CS/00188/14

William Powell AM
Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk

 February 2014

Dear Bill

Many thanks for your letter of 31 January requesting my views on the petition submitted by the group *Let Down in Cardiff*, which calls for a Letting Agents Ombudsman for Wales.

Whilst I sympathise with their plight, I do not think that their proposals would add anything to what is already available in terms of support for tenants who have been the victims of bad practice by landlords and agents.

Letting agents are already covered by The Property Ombudsman. The Ombudsman provides a free, fair and independent service for dealing with unresolved disputes between letting agents who have joined the scheme, and landlords or tenants of residential property in the UK. The Ombudsman's role is to reach a resolution of unresolved disputes in a full and final settlement and, where appropriate, he will make an appropriate award of financial compensation, or other relevant reparative action.

The petition mentions the Housing Ombudsman who covers England, and helps to resolve disputes between landlords and tenants. Whilst I have no doubt that this scheme has helped many people, I would argue that the fact that the Ombudsman is unable to intervene if the landlord is not a member of the voluntary scheme, does indicate that he is unlikely to be able to achieve resolution in the most extreme cases of bad practice by landlords, as the perpetrators are unlikely to be a member of the scheme in the first place.

It is unclear how disputes between landlords and tenants would be dealt with through a Letting Agents Ombudsman. This is where the Welsh Government's proposed landlord and agent registration and licensing scheme will step in. The scheme will require the landlord of every single property on the private rented market to become registered. Landlords will then have a choice to go on to become licensed, which will mean that they can manage the letting of their own property, or they can choose to delegate the management to a licensed agent or responsible person.

All licensed individuals or agents licensed on the scheme will have to abide by a code of conduct. Failure to adhere to the code will be dealt with by local authorities who will have a range of tools at their disposal. Ultimately, it can mean the withdrawal of their ability to manage the letting of privately rented property in Wales.

I am pleased that *Let Down in Cardiff* have warmly welcomed the Welsh Government's proposed scheme for regulation in the sector, and I hope that this letter makes it clear that the scheme offers the same protection for tenants, if not more than, the proposal for a Letting Agents Ombudsman.

A handwritten signature in black ink, appearing to be 'CS', written in a cursive style.

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