

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-480
Ein cyf/Our ref CS/01318/13

William Powell AM
Chair Petitions Committee
Ty Hywel
Cardiff Bay
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9 August 2013

Dear William

Thank you for your further letter, highlighting the petitioner's on-going concerns about a number of issues in relation to student accommodation in the private rented sector. I will respond to these in the order in which they are raised.

Administration fees – the Welsh Government currently have no plans to cap or end letting agency fees. This subject matter is currently not devolved to Wales and we therefore have no powers to introduce legislation ending agency fees as they have done in Scotland. However, as I have already mentioned, I intend the codes of conduct that will form part of the landlord and letting agent registration and licensing scheme that will be introduced in the forthcoming Housing Bill, to re-iterate the need for landlords and agents to make prospective tenants aware of the level of fees which they will be charged. Compliance with the codes of practice will be a requirement of licensing as set out in our original proposals which were consulted on last year. In the meantime, anyone who believes that they are being charged unreasonable fees, should challenge them, or alternatively, contact citizens advice or trading standards to consider further action.

Tenancy Deposit Schemes (TDS) – I believe that the existing tenancy deposit scheme legislation is sufficient, along with the recourse options for tenants if their landlord or letting agent does not comply with it. I do not therefore agree that further legislation is required on this. Again, the proposed code of practice for the registration and licensing scheme will re-iterate to landlords and agents the need for them to comply with all of their statutory responsibilities. Of course, the tenancy information packs I intend to introduce will help to ensure tenants know that their deposit should be placed in one of the schemes and what to do if it isn't. Until then, of course, there is a role for the NUS and University Accommodation Officers to play in helping ensure students know how the scheme works and what they can do if their landlord doesn't comply.

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Condition of Properties – As I have already pointed out, accommodation standards are one of the main drivers for the proposed registration and licensing scheme. I believe that our scheme will make a significant improvement in standards of accommodation and management of rented property. Landlords and letting agents will need to comply with the scheme requirements or lose the ability to manage properties in the private rented sector. However, these proposals are currently anticipated to come into force in 2015, not 2016, as stated by the petitioner. Whilst I understand that this scheme may come too late for some current students, legislation must be developed, carefully scrutinised and introduced in a measured and appropriate manner.

In terms of current enforcement of existing legislation, for example in relation to HHSRS and HMO licensing, it is the local authority's responsibility to take appropriate enforcement action as it considers necessary. Any complaint against the local authority in regard to the service it provides or any failure to take action should be made through the authority's complaints procedure and the Public Service Ombudsman in Wales.

Consultation - In terms of consultation on the details of the proposed scheme, I think the petitioner may be confusing the Housing Bill with the Renting Homes Bill. The registration and licensing scheme is part of the Housing Bill which is due to be introduced to the Assembly later this year. It has been developed through the Welsh Government's Private Rented Sector Working Group which was set up in January 2012. NUS Wales have been represented on the group since its inception and continue to be represented. In addition, the NUS responded when we consulted on the proposals for the scheme in July 2012.

I am proud that we have been able to work with and engage effectively with NUS Wales in developing the proposals and appreciate the contribution they have made, along with all the other representative groups. However, there has to be a limit on the amount of time given to consultation, otherwise we would never be in a position to progress the legislation to the point of being introduced. Overall, I think the Housing Bill proposals for the PRS go a long way to addressing most of the concerns raised by the petitioner. However, the introduction of such a significant piece of legislation will, quite rightly, take some time.

I trust this further information clarifies the position and note the Committee's intention to consult on this and possibly hold oral evidence sessions in the autumn term.



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