



The Camden

Private Tenant

The Voice of Private Tenants in Camden

Summer 2008 Issue 1

Are you a:

- Regulated Tenant
- Assured Shorthold Tenant
- Assured Tenant
- Housing Association Tenant
- Leaseholder
- Other type of private tenant?

Then this is the newsletter for you

Check out our new website at www.cfpt.org.uk



New and Improved!

Welcome to the new and improved version of our newsletter.

We hope you like it – and if you have any comments or suggestions (good or bad), or ideas as to how we can make it even better then please get in touch with us.

We also thought this would be a good time to remind our readers of who we deem to be private tenants. These are anybody who has a regulated, assured shorthold or assured tenancy. In addition to this, we also include housing association tenants, private leaseholders and any other type of private tenants.

If you're not sure if this includes you, call or email us to check.

Are You Protected?

A recent survey by The Deposit Protection Service (DPS) revealed that a shocking 62% of landlords were willing to admit openly to prospective tenants that they were not registered with any of the three deposit protection schemes, The Deposit Protection Service, my deposits.co.uk, or The Dispute Service, as required by the law.

Since 6th April 2007, every landlord or letting agent in England who takes a deposit has to use one of the protection schemes, and provide evidence that they have done this to the tenant.

If they do not, they are leaving themselves open to the risk of hefty fines, and as the DPS added: "... losing their eviction rights".

So make sure you're protected by getting proof from your landlord that your deposit money is safe and secure.

ARE YOU A LOCAL BUSINESS?

WANT TO REACH LOTS OF POTENTIAL CUSTOMERS?

THEN WHY NOT CHOOSE THIS NEWSLETTER?



It's cost effective and goes out to a wide variety of individuals and organisations across Camden.

Contact Robert Taylor for our advertising rates (details on the back page)



The Deposit Protection Service



THE DISPUTE SERVICE

[my|deposits.co.uk](http://mydeposits.co.uk)

Bursting the Housing Bubble

Susan Aykroyd, a CFPT member writes:

As an Assured Shorthold Tenant living in Camden, I recently attended a “Making Money from Property” seminar. The letter I received congratulating me on taking my first step towards financial independence showed a half naked TV presenter, Martin Roberts sitting at a table covered in money with £10 notes flying through the air.

The seminar was aimed at attracting new buy-to-let landlords to the market with the promise of untold riches, which would enable them to give up work entirely and do as they pleased without ever having to worry about the future again. Indeed it actively encouraged people to give up their jobs by producing black pictures on a screen showing the amount of money people would receive from the state pension, if they continued to sit in paid employment. The fact that we might see employment as a good thing was “not our fault” but “just the way we have been brought up”.

In the light of these claims, I was interested to know how this could be achieved in the current market conditions. So how was the money to be made? Currently 50% of repossession are buy-to-let landlords who are failing to keep up the repayments on their mortgages. The answer did emerge. Deals were being set up between DISTRESSED INVESTORS AND FIRST TIME BUYERS, whereby instead of paying plain old rent the potential first time buyers would be purchasing an “option” to buy the property in the future at a “premium”. Naturally this premium would be much higher than any rent that would need to be paid on a similar property.

Whether this gamut can be made to work is extremely unlikely. Bradford & Bingley who have the majority of buy-to-let mortgages on their books, are themselves having to go to the investment community to attract cash to shore up their own balance sheet, as landlords fail to repay the monies owed.

Furthermore, it is now becoming clear that the property price bubble that has been created on the myth that there is a housing shortage – is simply untrue. The Empty Homes Agency estimates there are 840,000 empty homes in Britain, almost 4% of the total housing stock.

It seems that the tide has finally turned for tenants in the private rented sector from a financial point of view. The only thing that remains to be changed is the perception that somehow tenants are second-class citizens. To alter that will take a considerable change in consciousness.



Respect for Regulated Tenants

Carolyn Harms, a CFPT member writes:

I can appreciate that regulated tenants are becoming ever scarcer as they grow older. The problem is that this means that those surviving are more vulnerable through age. And, of course, the space they occupy has become ever more valuable as property prices have soared. These tenants' homes now frequently come up for sale, usually by auction where the shadiest property dealers seem to operate.

Allsops' latest auction included a long list of regulated tenants' homes under the heading INVESTMENT.

My experiences suggest that many are being sold by speculators who, having failed to clear out the tenants, are cashing in on growth in the property's value before neglect of repair begin to show or involve them in expensive works. The prize for buyers being able to get hold of a place with an elderly or infirm tenant is that vacant possession becomes a likely bet – with the increase in value that this brings.

My own home has been subject to a string of such owners, who have caused immense damage to the entire property over the years through building extensions without planning consent, and using cowboy builders. Some of these changes have resulted in overcrowding with an increase in noise and incidents of flooding, and a potentially fatal defect with a boiler that could have exploded.

More ethical landlords may have realised that regulated tenants are a stable and steadily growing source of income, but evidence suggests that they are just as reluctant to spend money on repairs.

Of course, this is where immovable object (tenant) meets irresistible force (capitalism). Usually, the only way to make the landlords fulfil their obligations is via the statutory authority – Camden Council. Unfortunately, this is where the high turnover of staff charged with enforcing regulations and rights begins to impact on tenants.

For example, a member of the planning department repeatedly assured me that their negotiations with the landlords had ensured that illegal works would not happen – only to find that the owner not only went ahead but had started to move tenants in. Over the years I have doubtless become branded a nuisance by Camden's officers who are on the receiving end of my many calls for them to do their duty. Quite recently I was shocked that one, while acknowledging I had real problems with my landlord commented “you only pay a low rent, what do you expect?”

There may still be a view these days that greed is good, but the fact is that we private tenants pay our fair share in tax for council services.

As a member of Camden's Quality of Life Committee, intended to promote a better lifestyle for older people, I am surprised that we still have to demand that regulated tenants are respected, as we are long-term residents in an otherwise turbulent community.

Know Your Rights – Part 1

The first step to knowing your rights is to identify whether you have a **LICENCE** or a **TENANCY**. The main difference between a tenancy and a licence is that a licence usually gives you less protection from eviction.

REMEMBER: You will not necessarily have a licence or a tenancy just because your landlord says that's what you have.

However, you will probably have a tenancy if all of the following apply:

- You live in self-contained accommodation
- You pay rent
- Your landlord does not live in the property

There are three main types of tenancy available in the private rented sector:

- Assured Shorthold
- Assured
- Regulated or Protected

We will be explaining the difference between these in future issues of the newsletter.

You may have a licence if any of the following apply:

- You live in the same house as your landlord or a member of their family
- You live in a hostel or bed and breakfast, or in a property where somebody else has the right to enter your property
- You do not pay rent or provide a service for your property
- You have to live in your accommodation as part of your job, known as tied accommodation
- You live in accommodation provided by your family, or a friend, as an act of kindness, and only intended as a stop-gap

REMEMBER: Even if you don't have an agreement in writing, you will still have either a tenancy or licence. A verbal agreement with your landlord can be as legally binding as a written one. However, verbal agreements can be more difficult to enforce if there is any dispute, so it's always worth asking your landlord to put it in writing.

What are my rights and responsibilities ?

Landlords and tenants/licensees have certain rights and responsibilities, even if they're not written into the agreement. Some rights and responsibilities apply to all agreements. Others are set out in the legislation that applies to the particular type of tenancy or licence you have.

Tenants'/Licensees' responsibilities

Having a tenancy or licence brings with it rights and responsibilities. It's important to stick to the rules of your agreement if you want to keep your home. Provided the landlord follows the correct procedure, most tenants and licensees can be evicted if certain basic rules are not followed.

Landlord Watch



Whenever we speak to a tenant who is experiencing a problem with their landlord or letting agent we always ask for the name of the individual or company concerned.

Recently there have been two names that have started to repeatedly come up – Ventra Management and Freshwater Property Management – who both manage a number of properties in the borough.

Have you been a tenant of either of them ?

Was it a good or bad experience ?

Please get in touch, and let us know what has happened to you (all contact will be made in the strictest confidentiality and should anything be subsequently published, it will only be with your permission and you will not be identifiable in any way).

These include:

- Not leaving your home empty
- Not keeping up to date with your rent
- Not taking care of the place
- Not causing a nuisance, and not being responsible for your household and visitors

Landlords' responsibilities

Your landlord also has certain obligations. The rules and procedures vary depending on the type of agreement you have, but certain basic rules will remain the same.

These include:

- Not disturbing their tenants unnecessarily
- Following the correct procedure if they want the tenant to leave
- Carrying out certain repairs
- Meeting safety standards
- Following the rules on rent, and giving the tenant certain information.

If you have a licence rather than a tenancy, you may not benefit from all of these rights.

Licensees

If you are a licensee, you have fewer rights than a tenant. It is important to remember how easy it is for a landlord to evict you. And, because of this, it can be difficult to enforce your rights.

Getting Help

If after reading this you're still not sure whether you're a tenant or a licensee, then you should consult a housing adviser (see page 4 for details of where to go for housing advice in Camden).

Next issue: We will be explaining the difference between the two types of licences that exist – an “occupier with basic protection” or an “excluded occupier”.

Where to go for Housing Advice in Camden

Camden Council Private Sector Housing Advice Team

179-181 West End Lane
NW6 2LH
Tel: 020 7974 8855
(between 9.30am–5.00pm)
Monday, Thursday, Friday
(9.30am–4.00pm, drop-in)
Tuesday (9.30am–1.00pm,
4.00pm–7.00pm, drop-in)
Wednesday (closed)



Camden Community Law Centre

2 Prince of Wales Road
NW5 3LG
Tel: 020 7284 6510
Monday, Wednesday, Friday
(10.00am–4.00pm, drop-in)
Wednesday evening (appointment only)
Camden Town Neighbourhood Advice Centre

Mary Ward Legal Centre

26-27 Boswell Street
WC1N 3JZ
Tel: 020 7831 7079 (call for more information about
housing advice availability)
Monday, Tuesday, Thursday, Friday
(10.00am–1.00pm, 2.00pm–5.00pm)
Wednesday (open to existing clients only)

Fitzrovia Neighbourhood Association

39 Tottenham Street
W1T 4RX
Tel: 020 7580 4576
Tuesday (10.00am–1.30pm, open door advice service)

The College of Law – Legal Advice Centre

14 Store Street
WC1E 7DE
Tel: 01483 216528 (call to make an appointment)

BPP Law School – Legal Advice Clinic

68–70 Red Lion Street
WC1R 4NY
Tel: 020 7430 5668 (call to make an appointment)

Shelter London Housing Advice Line

Tel: 020 7014 1540 (telephone advice only)
Monday – Friday (10.00am–1.00pm)

Are you a private tenant living in Camden with a drug or alcohol issue?

Is this causing problems with your landlord or your tenancy?

If so, then ARP's Camden Tenancy Support Service (CTSS) may be able to help you.



Our highly skilled team provides a high quality service for tenants of at least 18 years of age whose alcohol or drug use is causing a tenancy problem.

Our service is free and we work in complete confidence at every level of our work.

For example, a private tenant (Assured Shorthold) suffered a breakdown and started drinking heavily when her relationship ended – and then she lost her job too. Her ex-partner left her with bills, rent arrears and the threat of eviction. The tenant couldn't cope and let herself go, rarely leaving the flat to go to the shops for food and hardly even washing.

However, she eventually managed to refer herself to ARP and we immediately applied for Housing Benefit to pay the landlord and stave off eviction. We applied for Income Support and Incapacity Benefit for her personal needs and negotiated her debt repayments.

We also encouraged the tenant to look at her alcohol issues and to consider treatment options that we had explored for her. With our support, the tenant successfully completed an alcohol detox and followed this up with counselling for both alcohol and depression.

She has kept her home, is paying the rent and bills, is making considerable progress reducing her depression and alcohol use and has started a new job. All of our work with this tenant was carried out in complete confidentiality without it being necessary to contact the landlord.

If you feel you may benefit from our service feel free to contact one of our team for an informal chat at:

ARP Camden Tenancy Support Service
3-5 Cynthia Street
London
N1 9JF

Tel No: 020 7837 0063

Email: FloatingSupportCamden@arp-uk.org

Volunteering With CFPT

Are you looking to volunteer as a way to increase your skills, knowledge and experience, or help you get a job?

We can offer you a variety of interesting volunteering opportunities (please note: you do not need to be a member of CFPT to volunteer with us).

Please contact us for more information about what volunteers we currently need or check out the following websites for our listing:

Camden: www.camdenvb.org.uk
National: www.do-it.org.uk

MEMBERSHIP FORM



CFPT needs you

CFPT is the voice of private tenants in Camden

- We work with and support private tenants in Camden to organise and campaign for better protection, rights and services.
- We lobby the government, the council, landlords and a variety of other bodies and organisations to get things changed and improved.
- We work closely with other local community groups, organisations and national charities such as Shelter.
- We also signpost people to advice agencies, and provide information, support and basic advice on a wide variety of tenancy-related issues.

If you are interested in getting involved with us you can:

- **Become a member** (see the left hand side of this page for details of how to join)
- **Become a volunteer** (see page 4 for details of this)
- **Join the Management Committee** (call or email us about this)

Your Views

We welcome questions, comments, suggestions and feedback about anything contained in this newsletter.

If you would like to see any other topics or issues covered please let us know.

Your Shout

Have you got something to say ?
Do you want to get something off your chest ?
Then why not write a letter or article ?

Please note: we cannot publish letters without your name, address and telephone number. They may also be edited purely for the reasons of space.

Did You Know ?

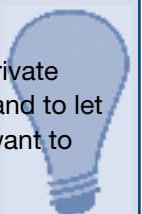
We have a wide range of information booklets, factsheets and legal books relating to private tenants.

If you are looking for information on a specific subject, get in touch, and we can let you know if we have it, or if we can get it.

Or why not pop in and have a look for yourself (please call to let us know when you want to come in).

Low-Energy Light Bulbs

We give out FREE low-energy light bulbs to private tenants in Camden (again contact us beforehand to let us know how many you want and when you want to come in to get them).



- As a member of CFPT you will receive the quarterly newsletter, be kept informed of current housing issues, changes in legislation and relevant campaigns.
- You will also receive invites to meetings, events and have free access to our office resources.
- By joining, you are helping to make us a bigger, stronger and more effective organisation.

1 Name _____

Address _____

Phone no _____

Email _____

2 I/We wish to have annual membership of CFPT as an:

- Individual member £10
- Individual student member £5
- Group member* £30

3 I am a: (please tick one)

- Regulated Tenant
- Assured Shorthold Tenant
- Assured Tenant
- Housing Association Tenant
- Leaseholder
- Other _____

4 I would like to make a donation of (optional) £ _____

Total amount paid £ _____

Signed _____

Date _____

Please fill in your details and send (no stamp required) with payment to:

Camden Federation of Private Tenants
FREEPOST LON12470
London
NW1 2YW

News in brief

Home Ownership Statistics – True or False ?



Someone once said that “statistics can be made to prove anything” – and it would appear that this is the case with the government’s claim that 70% of households in the UK are owner-occupiers.

According to CARL (Campaign for the Abolition of Residential Leasehold) “This is highly misleading, since the figure includes not only those households who own the freeholds of their homes, it also includes the 3,000,000 or so who merely own a leasehold interest in their home. Deducting leaseholders from the data reduces the percentage of home owners down to 55%, which is broadly in line with our European neighbours.”

By way of explanation, CARL’s definition of leasehold goes like this “When you ‘buy’ a flat, you may think you own it, but that’s far from the case. All you have bought is the right to occupy the flat for the number of years stated on the lease. You are merely a tenant for that period. And once the term ends, it reverts to the landlord unless you are prepared to pay the landlord to extend it”.

Time For a Clear Out

Housing association, One Housing Group, which has its head office in Chalk Farm Road and manages over 2,000 properties in Camden, recently had a clear out – not of its staff but of its residents.

In October 2007, they proposed the introduction of a new service level agreement, but the board of Island Homes (a smaller association that makes up part of One Housing Group) rejected it, claiming that it would pass control away from local residents.

According to a One Housing Group spokesperson, it was “essential to the running of the organisation.” After this, some board members passed motions of no confidence in the managing director, George Sheerin. Tony Lane, a One Housing Group resident and one of the sacked board members, told BBC London: “We were blamed for the failures of the managing director and the housing group.”

The association claims that the fifteen board members, including eight local residents, were sacked because of their persistent failures to govern the association effectively.

Some of the residents claim that, by sacking the board, One Housing Group was trying to shut local residents out of the decision-making process on their estates.

A new interim board has now been appointed.

Getting its Houses in Order

Camden Council has issued an Interim Management Order (IMO) against the landlord of a house occupied by 11 tenants in Kilburn. One of the first local

authorities in England to take such action, the order allows the council to step in and improve properties that have failed to meet health and safety requirements.

Council inspections found the Kilburn property was in need of maintenance, had sub-standard sanitation facilities, and did not possess necessary electrical and gas safety certificates. The landlord had also ignored numerous letters regarding his failure to obtain an HMO licence.

Councillor Mike Greene stressed that an IMO is considered “the last resort” and that the council prefers to work in partnership with landlords to resolve problems. He explained that in this particular case the lack of a licence, together with concerns over the tenants’ welfare and the possibility of their illegal eviction, left the council with little alternative.

Mr Jaber, the landlord, appealed against the order at the Residential Property Tribunal, but this was rejected. He admitted he had received letters from the council informing him of the need to apply for an HMO licence. However, he claimed he had been unable to comply as he had been in poor health and needed to attend hospital regularly. He said he had intended to sell the property, but had then instructed a company to manage it on his behalf.

The tribunal decided the council had been correct to implement the IMO. The council is now free to carry out essential works and is considering serving a final management order, which will allow vacant rooms to be re-let.

Camden Federation of Private Tenants

11-17 The Marr, Camden Street, London NW1 0HE

Tel: 020 7383 0151 Email: camfpt@lineone.net



Funded by Camden Council

The individual views expressed in this newsletter are not necessarily those of the Camden Federation of Private Tenants.

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