

TLIC Renters Reform Bill 2023 response additional information

Student Lets

We need clear notice of availability of the student lets that will be available for the next academic year or the difficulty in students finding accommodation will be exacerbated year on year, on top of an exodus of student Landlords. See Scotland for clear example of this. As such a fixed term is required to keep the student supply at a required level.

Our proposal is to allow a or 12 month fixed term agreed between the landlord and tenant. The term offered must be included in all marketing.

Definition of a Student Property – to reflect parity with Purpose Built Student Accommodation. To manage the risk of an abuse of a fixed term tenancy , the Portal could include the relevant Student status of the property example – HMO Licence for individual sharers in a Student area; easy cross reference with the LA as this will be zero rated re Council Tax; where there is NO HMO Licence, yet students who are sharing, they will still be in the zero rated Council tax. Note – students may afford a PRS property which is for only two sharers and not subject to a Licence criteria

Definition of a student status – standard uni entrant’; may include post graduates/overseas Students who do bring their spouse/children

RIA /Guarantor - both important linked components to the Student market. Overseas Students pay full fees , which does mean the Universities do want to ensure student accommodation is available in their local area. Note – York University did not have sufficient accommodation and were offering incentives to live outside of their area, to ensure they could still attract students to their courses.

The new Landlord Portal could be the policing mechanism.

£ fines to a Landlord and Agent offering a fixed term tenancy to a group which clearly didn’t meet the Student criteria was one of the deterrents, although concern as mentioned in the 4th point above where there can be a mixed sharer group. Parameters required if there was a mix of an employed Tenant V sharing with Students.

University offer Letter of a place will be key to the Definition of a Student let status . Non UK Student status will be noted as a Student and usually with a time lined period to remain in the UK re study.

Individual room lets – HMO /Students. The absence of a FT will mean difficulty in the Landlord perhaps finding another Tenant particularly half way through the academic year. The status of the property being a Student Let will restrict the Landlord’s ability to attract another Tenant. And the turnover potentially on an individual room let could be difficult to manage without a FT in place.

Transitional period - very important re Student Lets to reflect the time periods involved which does mean advertising commences around one year ahead of the academic year. This will include often a security deposit being protected some 6/8 months ahead of the start date of the tenancy and Tenancies themselves being signed and executed ahead of academic year etc. (* Immigration Act reflects that the RTRC must be carried out 28 days ahead of start date of Tenancy , therefore signing of a non UK Tenant requires additional management, particularly when overseas students arrive in the UK at different times!)

Unauthorised /unapproved sub-letting could inadvertently ‘shift’ the Student Status, this would need some control in place and to ensure it was evident who was actually living in the property itself.

Government to consider introducing a mandatory , prior notice ground for possession giving two months' notice that can be served no earlier than the 9th month of a tenancy where a Landlord has let to students in the preceding 12 months.

Moratorium (temporary ban) on tenants serving notice, after which two months' notice to end a tenancy the tenancy can be given at any time.

We understand these proposals currently being considered by Housing Minister Rachel Maclean MP.

Article 4 direction will restrict a landlord who has a HMO Licence for sharers to then switch to a family, as could put at risk the C4 Class under Town and Planning at risk