

## APPENDIX C – Enforcement Divisions Summary Table

\*This document is an indication guidance document only and we recommend reviewing the full Enforcement section of the Bill for a full understanding.

Division	Summary of enforcement
<p><u>Division 1: Unregistered relevant landlords</u> If a relevant landlord refused to register with the Department, we will attempt to engage the landlord multiple times to ensure the registration forms are completed.</p>	<p>In cases where a landlord continues to refuse to register the Department could escalate action through the following steps of enforcement:</p> <ul style="list-style-type: none"> <li>-Initial notice letter</li> <li>-Notice of non-registration (can be appealed within 28 days)</li> <li>-Disqualification (court ordered)</li> </ul> <p>In cases where we have been unsuccessful in getting a landlord to register and have had to request a court ordered disqualification, landlords can be disqualified for a period up to 5 years.</p>
<p><u>Division 2: Minimum Standards</u> If a registered landlord or their property does not comply with and of the minimum standards the department will work with the landlord to try and rectify this.</p>	<p>In cases where a landlord doesn't comply with informal requests to adhere to the minimum standards the Department could action the following steps of enforcement:</p> <ul style="list-style-type: none"> <li>-Request for sufficient documentation or evidence of steps to meet minimum standards (7 days to respond)</li> <li>-Notice of non-compliance registration (can be appealed within 28 days)</li> <li>-Improvement notice – adjustable time periods for these notices can be applied, depending on the circumstances and the work that may be required</li> <li>-Revocation of registration (where there is a refusal to comply with an Improvement notice)</li> <li>-Court ordered penalties, could include possible 12 months imprisonment and a fine of up to £50,000.</li> </ul>
<p><u>Division 3: Breaches of Registration requirements</u> A landlord could breach their registration in many ways, including failure to appoint a representative or inappropriate management activities. Failure to notify the Department of changes to circumstances would also be considered a breach of registration conditions; the bill states that landlords are required to notify the Department of changes to their registration within 7 days.</p>	<p>In cases where a landlord doesn't comply with informal request to meet the registration requirements and notify the Department of changes we will follow the following steps of enforcement:</p> <ul style="list-style-type: none"> <li>-Initial notice letter</li> <li>-Revocation of registration (where notice letter has not been acknowledged or complied with)</li> <li>-Court ordered penalties, could include possible imprisonment and/or fines.</li> </ul>
<p><u>Division 4: Revocation of Registration</u></p>	<p>In cases where the department has had no choice but to revoke registration due to the reasons listed above, registration cannot be applied for again for at least 12 months.</p> <p>Specific revocations can also be applied to a specific property as opposed to a landlord overall, this will be in case of breaches of minimum standards. Although</p>

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	<p>the revocation will be for 12 months, a landlord can request that the Department re-inspect earlier than 12 months, with the aim to resume registration where issues have been resolved.</p>
<p><u>Division 5: Other Enforcement Provision</u></p>	<p>If a landlord is not registered, is disqualified, or has their registration revoked, a tenant is not required to pay rent until that landlord is properly registered.</p> <p>A landlord is also not permitted to terminate an occupier’s tenancy on the grounds of non-payment of rent where a tenant has not paid rent due to the above circumstances.</p> <p>If a tenant has paid rent during periods where a landlord was not registered or had their registration revoked or disqualified, a landlord may be required to refund the rent to the tenant.</p>