



# LANDLORD COVID PACK

Coronavirus has had a huge impact on the way landlords and lettings agents operate their business. This pack is designed to help both landlords and their tenants through these difficult times.

This pack covers, the extension of notice periods, possession hearings, Covid-safe shared housing, inspections, and what support Halton and Knowsley have to offer both private tenants and landlords.

## **Extension of the minimum notice period:**

The following tenants have the right to extended notices:

- assured shorthold (including starter tenancies)
- assured
- secure
- flexible
- introductory
- demoted
- regulated (protected)

For notices served between 26 March 2020 and 28 August 2020 inclusive of, the minimum notice period was three months. For notices served between 29 August 2020 and 31 March 2021 inclusive of, the minimum notice period is six months, unless exceptions apply. These exceptions are; in circumstances such as anti-social behaviour, domestic violence or rent arrears, the tenant will be entitled to the following notice:

Standard pre-extension notice period

Where the landlord is seeking possession on the grounds listed below, the notice period will revert to the standard length for each tenancy, meaning the extension will not apply:

- the discretionary ground for anti-social behaviour for secure tenancies, whether with or without other grounds (ground 2 in Schedule 2 to the Housing Act 1985)
- the absolute ground for anti-social behaviour for secure tenancies (section 83ZA of the Housing Act 1985)
- anti-social behaviour grounds for assured and assured shorthold tenancies (grounds 7A or 14 in Schedule 2 to the Housing Act 1988).

Section 21 notice: prescribed form and time limits

From 29 August 2020, assured shorthold tenants are entitled to a minimum six months' section 21 notice. Section 21 of the Housing Act 1988 has been amended to extend the period in which the landlord can start possession proceedings from six to ten months after the service of a section 21 notice. From 2 September 2020, landlords must use the updated form 6A which reflects the six-month minimum notice period and the ten-month time limit for taking court action. Please click [here](#) for more information.

### **Suspension of possession proceedings and reactivating proceedings**

On 21 August 2020, the government announced that the stay to possession proceedings under Part 55 would continue until 20 September 2020. On 22 August 2020, rule 55.29 of the Civil Procedure Rules was amended to provide for possession proceedings that started on or before 19 September 2020 to be stayed until 20 September. Initially, the stay applied from 27 March 2020 until 25 June 2020, and was later extended until 23 August 2020.

Covered by the stay:

- applications for a possession order, including variations
- applications to enforce a possession order by a warrant or a writ
- appeals of possession orders.

Not covered by the stay:

- claims for injunctions (injunctive relief)
- claims against trespassers to which rule 55.6 CPR applies
- applications for interim possession orders (IPO) against squatters
- applications for case management directions where the parties are in agreement.

The stay protected all tenants and contractual licensees with basic protection. However, excluded occupiers, including lodgers and those in interim accommodation awaiting a decision on their homeless application, do not benefit from the stay because they are excluded from the right to a court order.

### **Possession proceedings:**

Following the ending of the stay on possession proceedings on 20 September 2020, claimants and defendants can apply to reactivate proceedings from 21 September 2020.

For more information about how possession proceedings are affected, see the page Court and tribunal hearings. Further information is also available [here](#).

### **Repairs and safety:**

During the coronavirus pandemic, the landlords' statutory repairing obligations remain unchanged, however delays in carrying out the work required may be inevitable. The revised non-statutory guidance for landlords and tenants includes the following advice:

- tenants should inform their landlord early about any problems in the property
- unless the tenant is shielding or self-isolating, they can allow their landlord or the landlord's representative access to the property for the purpose of routine inspections, repairs and planned maintenance
- no work should be carried out in the homes of those who are shielding or self-isolating, unless it is necessary to remedy a direct risk to them or the household
- tradespeople can visit people's homes to carry out any work or maintenance provided they follow the guidance for professionals working in people's homes
- nobody can be removed from their home because of the virus
- landlords are not responsible for providing alternative accommodation for tenants if others in the property contract the virus.

The local authorities' powers and duties in relation to enforcement of housing standards remain unchanged during the coronavirus pandemic.

### **Temporary changes to Right to Rent checks:**

From 30 March 2020, the Home Office has temporarily suspended the requirement to check the original documents as part of the right to rent checks. Landlords are not required to see original documents and are advised to accept scanned copies or photographs of the original documents sent via email or a mobile app and arrange to check the prospective tenant's identity via a video call. The guidance also provides information on retrospective checks once the COVID-19 emergency measures end. For more information please click [here](#).

### **Gas safety**

The Gas Safe Register (GSR) guidance currently states that GSR inspections will only take place in high risk scenarios.

The revised non-statutory guidance for landlords and tenants emphasises the importance of gas safety checks and advises that landlords should take all reasonable steps to carry out the annual checks. If the tenant is shielding or self-isolating, the check may be postponed until it is safe to carry it out, unless there is a direct gas safety risk to the tenant.

With the current full lockdown across England inspections and works should only be carried out in an emergency. We will update you with more information on inspections when this changes.

### **Covid safe shared accommodation**

As a landlord or agent you should take steps to limit the possibility of transmission and help make tenants feel safer:

- You should make arrangements for the cleaning and disinfecting of surfaces like front-door handles, as well as common rooms and laundry rooms. You could also have hand-sanitizer located around the property
- Ventilate shared kitchens, bathrooms and sitting areas as much as possible
- Consider the use of a rota system for using all shared facilities

- All residents in the house need to clean the bathroom and kitchen after each use by wiping surfaces they have come in contact with
- Post the Public Health England self-isolation poster in common areas of your HMOs
- Familiarise yourself with the Public Health England guidance on decontaminating your HMOs should tenants become sick with COVID-19
- If you need to cancel cleaning services due to a tenant self-isolating, supply tenants with additional cleaning materials
- Tenants have been advised on how to treat and store suspect waste from persons in the house showing symptoms - waste should be double bagged and stored for 72hrs and not in a communal area before disposal
- Make sure that all statutory legislation is applied as much as it can be

Keep in mind that your residents will be looking to you for advice on what to do, especially in extreme circumstances like quarantine. One of the best things you can do is stay calm, be prepared, and help educate your tenants.

Current guidance from Public Health England advises that any personal waste (such as used tissues and cleaning cloths) from households where someone is showing symptoms of the Coronavirus should be stored securely in disposable rubbish bags. These should be placed into another bag, tied securely and kept from other waste for 72 hours before being put in your bin for collection.

All other household waste can be disposed of as normal.

### **Support in Knowsley:**

The Knowsley Landlord Accreditation Scheme:

This is a free scheme designed to support good landlords who have property within Knowsley, you do not have to be a Knowsley resident to sign up for this scheme. Please find more information [here](#).

Affordability assessments and payment plans:

Many tenants have found themselves furloughed, redundant or struggled financially in other ways during coronavirus. Knowsley Council has set up a free affordability assessment and payment plan service for your tenants who are struggling with payments, click [here](#).

Payment support:

Tenants who need to self-isolate and are on low income can apply for a test and trace support payment for up to [£500](#)

Foodbanks in Knowsley:

<https://www.trusselltrust.org/get-help/find-a-foodbank/knowsley/>

<https://knowsley.foodbank.org.uk/>

<https://bighelpproject.com/knowsley-foodbank>

Bond scheme:

If a new tenant does not have the funds for a deposit they may be eligible to access [Knowsley's Tenant Bond Scheme](#)

### **Support in Halton:**

Early intervention – Jamie Bryan and Brodie Bannon (Leaflet attached) – As well as close links working with citizens advice debt management service. The team can access discretionary housing payments and council tax reduction for clients who are eligible and in need.

Environmental Health in Halton are continuing to assess each case on individual circumstances although some services are limited. Contact details Email – [environmental.protection@halton.gov.uk](mailto:environmental.protection@halton.gov.uk) Contact Number – 0151 511 7587

Safer Communities - Andrew Bailey is Halton's antisocial behaviour victim and witness support officer – His service can be accessed by contacting the Housing Early Intervention team at [housing.earlyintervention@halton.gov.uk](mailto:housing.earlyintervention@halton.gov.uk)

Community Shop – Offers groceries at a heavily discounted price to Halton residents on means tested benefits. <https://www.companysgroup.co.uk/our-locations/community-shops>

Foodbanks –

<https://runcorndistrict.foodbank.org.uk/>

<https://www.trusselltrust.org/get-help/find-a-foodbank/widnes/>

[Discretionary support](#) offers emergency support and community support to people in Halton such as essential groceries, fuel awards and furniture.

Plus Dane Shap – Halton's [floating support service](#)

Cheshire fire service and hoarder help - Service can be accessed by contacting the Housing Early Intervention team at [housing.earlyintervention@halton.gov.uk](mailto:housing.earlyintervention@halton.gov.uk)

Bond scheme: If a new tenant does not have the funds for a deposit they may be eligible to access Halton's Bond Scheme – Please contact [housing.solutionsteam@halton.gov.uk](mailto:housing.solutionsteam@halton.gov.uk)

Tenants who need to self-isolate and are on low income can apply for a test and trace support payment for up to [£500](#)

Support for mental health and wellbeing can be accessed through the mental health info point [here](#)