

## Guidance Notes for Landlord Agents

### **Reported Repair Issues**

The idea behind the new legislation (Deregulation Act 2015), in force for Assured Shorthold (AST) tenancies in England commencing on or after 1 October 2015, on “retaliatory eviction” is that where a tenant reports (in writing) a repair issue, the landlord must respond – provide an “adequate response”- **within 14 days**.

Failing this the landlord / Agent may not be able to serve a valid section 21 notice if possession is required for at least 6 months.

### **The repair request triggers a series of actions:**

1. An adequate response and repair has no impact on the ability to serve a valid s21 notice.
2. An adequate response but no repair resolution may result in the tenant reporting the matter to the local authority environmental health department – see 4.
3. No adequate response could also result in the tenant reporting the matter to the local authority environmental health department – see 4.
4. The local authority can either:
  - a. Inspect and find the issue does not constitute a Category 1 or 2 repair issue – no impact on s21.
  - b. The local authority has not yet decided on what to do.
  - c. The local authority issues a “relevant notice”, usually an improvement notice or enforcement order.

In the case of b or c the landlord or agent will be prevented from issuing a valid section 21 notice for 6 months.

An adequate response would be one where the landlord or agent states (ideally in writing) the remedial action that will be taken and sets out a reasonable time scale. This should then be followed quickly by arrangements with tradesmen and the tenant, giving reasonable notice periods for means of access.

***Make sure your tenants have your contact details by including them in this form. Although requests must be in writing, the legislation says this is not necessary if they don't have your contact details.***

It is recommended that you e-mail a blank form to your tenant/s on receiving a repair request so that the request can be dealt with quickly.