



# Edinburgh Landlord Accreditation

Voluntary Accreditation for Private Landlords in Edinburgh  
Policy and Procedures Guidance

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# Forward

The Edinburgh Accreditation Scheme for Private Renting is an important initiative between the private renting industry and The City of Edinburgh Council, to raise standards and recognise good practice in the private rented market in the City of Edinburgh.

Private landlords and letting agents provide accommodation to young people in higher and further education, to young workers bringing new skills and experience to the City and to the many households who cannot afford to buy in the City's inflated property market. It is impossible to underestimate the importance of the private rented market to the City.

While many landlords do provide safe and good quality accommodation to their customers, poor housing conditions remain concentrated in the private rented market. Many landlords, particularly those who have recently entered the market, simply do not have the knowledge or professional expertise to manage their property in a professional way. Like many industries, the private rented sector is facing the challenge of modernisation and of improving customer services in an environment of increased public scrutiny.

The Accreditation Scheme will provide recognition to landlords and letting agents who take a responsible approach to letting their properties. It will also offer a systematic way of identifying and listing properties which meet the Code of Standards.

The City of Edinburgh Council

Scottish Association of Landlords

# Policy and Procedures Guidance

## INTRODUCTION

This guidance sets out the policies and procedures for the Accreditation Scheme for private renting in Edinburgh. It explains how the Accreditation Scheme will operate and the Code of Standards that accredited private landlords and letting agents will be expected to meet.

The overall aim of the Accreditation Scheme is to help tenants recognise private landlords who are committed to providing well managed good quality accommodation in the private rented market in Edinburgh.

Accredited landlords and letting agents are those who agree to abide by the Code of Standards set out by the Accreditation Scheme. Landlords and letting agents who fail to meet these standards can be removed from Accreditation.

The Accreditation Scheme is an initiative by The City of Edinburgh Council and the Scottish Association of Landlords. The development of the Accreditation Scheme has been taken forward by a project board consisting of representatives from private landlords and letting agents who manage property in Edinburgh, The City of Edinburgh Council and the Scottish Association of Landlords.

# 1. STATEMENT OF VISION AIMS AND OBJECTIVES

## Vision

- 1.1 To promote good quality management and accommodation in the private rented market in Edinburgh.

## Aims

- 1.2 Accreditation will:
- Enhance the reputation of landlords and letting agents committed to improving the quality of management and accommodation in the private rented market.
  - Allow current and future tenants to recognise good landlords and make informed choices about renting in the private market.

## Objectives

- 1.3 To meet these aims Accreditation will:
- Establish and promote credible standards on private renting which are accepted and widely recognised by both the industry and consumers alike
  - Provide a coherent industry led response to the need to improve the reputation and standards in the private rented market
  - Promote more effective partnership between the industry, public bodies, and consumer groups
  - Ensure landlords have access to advice and help to improve standards
  - Encourage responsible and respectful behaviour by tenants towards their neighbours
  - Ensure that accreditation is understood and widely recognised by current and future customers.

# 2. SUMMARY OF THE ACCREDITATION SCHEME

## Who can apply for Accreditation?

- 2.1 Any private landlords or letting agents who let property within the City of Edinburgh can apply to join the Accreditation Scheme.
- 2.2 The Scheme will recognise letting agents as providing an accredited management service and their landlords will be 'passported' into the Scheme.

## Passporting

- 2.3 All letting agents and landlords who manage licensed HMO properties will be automatically passported into the Accreditation Scheme in most cases.
- 2.4 Landlords and letting agents managing HMO licensed properties will require to complete a registration form and provide an undertaking that they will comply with the Accreditation Scheme Code of Standards.

## How will the scheme work

- 2.5 Private landlords and letting agents will agree to meet the Code of Standards set out by the Accreditation Scheme. The Accreditation Scheme relies on self-certification by landlords and letting agents and encompasses all private rented property in the Edinburgh area.
- 2.6 The Edinburgh Accreditation Scheme may consider any evidence which suggests that a landlord does not currently comply with standards at the point of application. The decision to accept an application is the responsibility of Edinburgh Landlord Accreditation.
- 2.7 The Accreditation Scheme may inspect a sample of properties and interview tenants at any point to ensure that landlords are complying with the Code of Standards.
- 2.8 Landlords may be removed from Accreditation if they fail to meet the requirements of the Code of Standards.

## Fees

- 2.9 There will be no fees in the first year of operation. Thereafter accredited landlords and letting agents will be subject to an annual membership fee.

## 3. HOW TO APPLY FOR ACCREDITATION

- 3.1 Interested landlords and letting agents will be provided with an information pack. This pack can be sent to any landlord/letting agent who lets property in the Edinburgh area.
- 3.2 If the landlord/letting agent wishes to proceed, the application form should be completed and returned. It is the responsibility of the landlord/letting agent to make sure that they comply with the Code of Standards.

## Landlords

- 3.3 The application form and signed declaration will confirm that landlords have assessed their tenancy and property management and that it complies with the Code.
- 3.4 Landlord's details will be entered onto the Accreditation Register and they will receive a certificate to show that they have been accredited.

## Letting Agents

- 3.5 The application form and signed declaration will confirm that letting agents have assessed their tenancy and property management and that it complies with the Code.
- 3.6 Letting agent's details will be entered onto the Accreditation Register and they will receive a certificate to demonstrate that they provide a service that meets with the Accreditation Code of Standards.
- 3.7 This process is also shown on the attached flow chart.

## 4. MEMBERSHIP

- 4.1 On membership being granted a Membership Pack will be forwarded to the landlord or letting agent consisting of:
- Certificate
  - Edinburgh Landlord Accreditation Scheme pack
  - Model short assured tenancy agreement
  - Tenants Pack.
- 4.2 It is the landlord or letting agent's responsibility to provide a Tenants Pack to every property.
- 4.3 The landlord or letting agent will be able to continue to be a member of the Edinburgh Landlord Accreditation unless they are removed from the Scheme or they do not pay membership fees. Landlords and letting agents will not be expected to reapply for accreditation unless they have previously been removed.

## Refusal of Membership

- 4.4 Should there be evidence that a landlord does not comply with the Code of Standards the landlord or letting agent may be refused membership of the scheme.
- 4.5 If the landlord or letting agent disagrees with the decision to refuse membership, they may appeal to the Appeals Tribunal who will hear and assess the case.

## Appeals Tribunal (Sub-committee of the Management Board)

- 4.6 The appeals tribunal investigates refusals and complaints that cannot be resolved by the Accreditation Scheme staff. It is made up of representatives of stakeholder groups:
- 1 representative from The City of Edinburgh Council
  - 1 representative from the Accreditation Scheme
  - 1 representative of the Scottish Association of Landlords
  - 1 landlord or letting agent.
- 4.7 The landlord or letting agent is invited to attend a hearing and to put their case forward. All parties concerned have the right to ask questions.

## 5. CODE OF STANDARDS

- 5.1 Edinburgh Landlord Accreditation has adopted the Code of Standards for Private Renting in Edinburgh. This is largely based on the National Core Standards produced in consultation with landlords and consumer groups by Communities Scotland and the Scottish Executive.
- 5.2 The Code of Standards aims to help landlords and tenants by promoting good practice and awareness of landlord and tenant obligations.
- 5.3 The Code of Standards can be divided into ten broad categories:
- Communication with the Tenant
  - Equality issues, Complaints and Disputes
  - Management of the Tenancy
  - Minimum Property Condition
  - Structure and Fabric
  - Repairs and Maintenance
  - Facilities and Fittings
  - Furnishings and White Goods
  - Heating Insulation and Energy Efficiency
  - Health, Safety and Home Security Features.
- 5.4 Within each category a set of specific standards are elaborated which are a mixture of current statutory standards and non-statutory good practice standards.
- 5.5 Further details of the standards can be found in the booklet Code of Standards for Private Renting in Edinburgh.

## 6. COMPLIANCE WITH THE CODE OF STANDARDS

- 6.1 To become a member of the Accreditation Scheme landlords and letting agents will be expected to agree to the Code of Standards which sets out standards which it is expected that accredited landlords and letting agents will comply with. Participating landlords and letting agents will be required to sign a declaration agreeing to uphold the standards set out in the Code of Standards.

### Compliance

- 6.2 Compliance with the Code of Standards will be spot checked by the accrediting body. These checks will take the form of selective property inspections, interviews with tenants and spot checking Tenancy Agreements. Where requested, landlords and letting agents would be required to submit relevant safety certificates for specific properties.

## Non-Compliance with Code of Standards

- 6.3 The Accreditation Scheme will not normally consider a complaint unless and until it is satisfied that the complainant has exhausted a members own complaints procedure, nor if the matters are subject to formal legal action.
- 6.4 Complaints sent to the Scheme must be in writing and clearly state:
- What breach of the code has been made
  - Any steps taken to bring this breach to the landlord/agents notice
  - An indication of the timescale involved concerning a particular problem
  - A contact address and telephone number for the person making the complaint.
- 6.5 Upon receiving the complaint the Scheme will acknowledge the correspondence and check that it fulfils the above criteria and then acknowledge receipt of the complaint.
- 6.6 Once a complaint is received the landlord or letting agent of the property will be written to, informing them of the complaint and giving them 7 working days in which to respond.
- 6.7 It is expected that reporting a complaint will result in that landlord or letting agent taking any necessary remedial action immediately.
- 6.8 Where an alleged breach of the Code has been reported to the Accreditation Scheme and is being investigated landlords and letting agents will co-operate with the investigation.
- 6.9 Following the investigation, where reasonable recommendations to rectify an apparent breach have been made, the landlord or letting agent will comply with these recommendations.
- 6.10 Sanctions available to the Accreditation Scheme include:
- To recommend that the member apologise, in writing, to the appropriate person for the relevant conduct, action or omission
  - To caution the landlord/agent against repeating the conduct, action or omission
  - To recommend to the member that they refund all or some part of fees or charges previously made, in recognition of the conduct, action or omission
  - To recommend that the member change their procedures or documentation arising from the facts disclosed by a complaint, breach or infringement, which has been upheld
  - To recommend to the parties other, more appropriate, ways of resolving the complaint or dispute including mediation
  - To reprimand or severely reprimand the member for their conduct, action or omission
  - To suspend the member from membership of the Accreditation Scheme
  - To remove the landlord or letting agent from the Accreditation Scheme
  - Any combination of the above or any other reasonable action, which the scheme feels appropriate in order to support high standards within the industry and amongst its membership.

## Rights of Appeal

- 6.11 Landlords and agents have a right of appeal if they consider any complaints against them to be incorrect.

## Appeal Tribunal (Sub-committee of the Management Board)

- 6.12 The Scheme will have a tribunal/review panel which investigates complaints that cannot be resolved by the Accreditation Scheme staff. It is made up of representatives of stakeholder groups:
- 1 representative from The City of Edinburgh Council
  - 1 representative from Edinburgh Landlord Accreditation
  - 1 representative from the Scottish Association of Landlords
  - 1 landlord or letting agent.
- 6.13 The Landlord or letting agent is invited to attend a hearing and to put their case forward. All parties concerned have the opportunity to ask questions of those appearing. The panel has the power to rescind membership of the Scheme.

## Breaches of the Code

- 6.14 The types of breaches of the Code fall into two categories:

### Persistent problems

This category covers persistent minor management problems, or minor breaches of the physical standards. For example:

- Failure to repair a broken door
- Properties not ready at the start of the tenancy.

If it is confirmed that the landlord or letting agent has consistently failed to comply with the Code of Standards, the landlord or letting agent will be given between 7 – 28 days to correct the problem depending on its seriousness.

### Serious Management Problems

This category covers serious management problems or serious breaches of the physical standards. For example:

- Serious management problems such as harassment, assault or illegal eviction
- Serious breaches of the physical standard such as failure to deal with or rectify problems within 24 hours where there is imminent risk to health
- Failure to register with the Landlord Registration Scheme.

Following investigation a response from the landlord or letting agent will be required within 7 days. The scheme may also decide to pass the complaint over to other authorities.

## 7. REMOVAL FROM THE SCHEME

- 7.1 Failure to respond to complaints or to comply with the recommendations in a reasonable and satisfactory manner may constitute grounds for disqualifying a landlord or letting agent from the Accreditation Scheme, as compliance with this Code of Standards is a condition of qualifying for the scheme.
- 7.2 Any unlawful action by a landlord or letting agent may constitute grounds for disqualification from the Accreditation Scheme.
- 7.3 The landlord or letting agent will be notified of this in writing within 7 working days of a decision being made. A landlord or letting agent who loses their accredited status will no longer be participants of or eligible for any of the benefits of the Scheme.
- 7.4 The Board will consider reinstatement of accreditation status if the landlord or letting agent is able to demonstrate that following remedial action they are capable of meeting the requirements of the Scheme.
- 7.5 Disciplinary action will be reported in an open and transparent way to demonstrate that the Scheme is being enforced.

## 8. BENEFITS OF THE SCHEME

- 8.1 The following incentives will be available to landlords and letting agents:
- **Marketing Advantage:** The Scheme will provide public recognition for landlords and letting agents who maintain good standards in their properties
  - **Badging:** This allows landlords and letting agents to distinguish themselves from the less well intentioned or less competent landlords and letting agents who often attract media attention
  - **Letwise:** Letwise is a City of Edinburgh Council service developed to offer advice and support to landlords and letting agents. The service offers:
    - Briefing sessions on new legislation and regulations
    - Resource material
    - Inside Letting magazine and training events.

Accredited landlords and letting agents can attend training events at no cost to themselves.

- **Promotion:** The Scheme will be advertised in the press.



FOR FURTHER INFORMATION ON EDINBURGH  
LANDLORD ACCREDITATION CONTACT:

Edinburgh Landlord Accreditation  
Housing Property Services  
The City of Edinburgh Council  
Chesser House, 500 Gorgie Road  
Edinburgh EH11 3YJ

TEL NO 0131 529 7278  
E-MAIL [ela@edinburgh.gov.uk](mailto:ela@edinburgh.gov.uk)  
[www.edinburgh.gov.uk/ela](http://www.edinburgh.gov.uk/ela)

## HOW TO APPLY FOR ACCREDITATION

