

HB 23

National Assembly for Wales

Communities, Equality and Local Government Committee

Housing (Wales) Bill: Stage 1

Response from: Federation of Private Residents Association

15th January 2014

FPRA Response to and Comments on Housing (Wales) Bill

We are the national body that represents the interests of long leaseholders in England and Wales, which we do via their Residents Associations, Resident Management Companies, Right to Manage Companies and similar groups. Additional information can be found on our website.

The important aspect for FPRA members is that it introduces a scheme of compulsory registration and licensing of landlords and agents who let property. Landlords who delegate letting a property completely to agents are exempt from some of the provisions. That landlords attend a training course is an important aspect of the provision.

FPRA welcomes this initiative to improve the availability and quality of rented residential accommodation in Wales.

There is a concern that the definition of "landlord" as someone who "holds an interest in a rental property" in Section 2(2) is ambiguous, especially if applied to leasehold residential property. The wording does not accurately capture the distinction between a "residential landlord", in this case a leaseholder who sublets a property, and the "freehold landlord" who has "an interest" in the property through the lease, whose consent to the letting is frequently required by the terms of the lease, and who is also described as a "landlord" in much documentation and legislation. We suggest that the bill clarify that in the case of leasehold property it is the leaseholder who is subject to the strictures of the bill, and not the owner of the freehold.

There is a further concern that the level of fees to be charged (Section 31) should be regulated to ensure it does not deter owners of single properties from renting them out, though our expectation is that any such fees will translate through to increased rents.

Yours sincerely,

Richard Williams, Vice Chairman.
FPRA

