



Code of Practice

1. INTRODUCTION

- (a) The Rules contained in this Code of Practice form an integral part of the conditions of membership of Calderdale Landlords Association. In applying, each applicant agrees to be bound by them.
- (b) The Code of Practice aims to achieve and promote the highest standards of conduct by members of the Association. The rules are also aimed at protecting the members of the public against restrictive or unethical practices, and provide a means of complaint against a member who fails to honour them. By incorporating these Rules in the Association it is our intention to promote good standards of accommodation and service, and to develop a useful and mutually respectful, co-operative relationship with tenants, local authorities, local and national government representatives, and any other agencies.
- (c) While the Association will use its best endeavours to inform its members of current and future legislation, it must be understood that this cannot be all encompassing, and it will remain the responsibility of the individual members to obtain independent legal advice and guidance on all matters.

2. BUSINESS CONDUCT

- (a) All members shall adhere to the principles expected of Residential Landlords and will at times abide by the laws which are relevant to landlords, and the Code of Practice of the Association.
- (b) References provided by a member must be honest and accurate.
- (c) Members shall not use business methods involving dishonesty, deception or misrepresentation.
- (d) A member shall disclose to the Secretary of the Association any conflict of interest that may arise while he/she is a member. A member will at all times respect the confidentiality of his/her fellow members.
- (e) A member will not discriminate in his dealings with prospective and existing tenants on the grounds of their colour, creed, disability, sexuality or politics.
- (f) If Housing Benefit is paid directly to the member, and there is a genuine overpayment, then it shall be repaid promptly to the Housing Benefit Department on receipt of a correctly issued invoice.
- (g) Members shall pay all bills promptly within the terms of payment.
- (h) Members shall endeavour to use the services provided by the Association, and to promote the growth of the Association.

3. STANDARDS OF ACCOMMODATION

- (a) Members shall comply with relevant legal and statutory regulations.
- (b) The accommodation shall be let in a clean and tidy condition, with all appliances working, and inventory shall be completed at the beginning of each tenancy.
- (c) Particular attention shall be paid to gas and electrical regulations, and regulations regarding fire safety and furniture.
- (d) For house in multiple occupation, particular attention shall be paid to the common areas, the means and disposal of rubbish, and also the safety, and security of the property against unauthorised access.

4. MANAGEMENT

Members shall comply with all relevant legal and statutory requirements.

The landlord shall use his best endeavours to ensure that the heating, hot water, gas, and electrical appliances operate properly and safely, and that arrangements for refuse collection and disposal are adequate.

The landlord or his agent shall periodically visit the property to inspect the interior and exterior decoration, and ensure that repairs and maintenance are being properly carried out.

For houses in multiple occupation, particular attention shall be paid to the common areas being kept clean, safe, and properly lit. The landlord shall visit the property on a frequent, regular basis.

All tenants rights, as set out in the tenancy agreement shall be respected.

Tenants shall be given a telephone contact number, or procedure to be followed in the event of an emergency occurring. The landlord shall ensure that this procedure works efficiently in practice.

The landlord shall give adequate notice of entry when he wishes to inspect the property.

5. ADMINISTRATION

The tenancy agreement shall:

- i. specify precisely what rates, taxes, services or similar charges are included in the rent
- ii. include a receipt for any deposit paid
- iii. include an inventory with, if appropriate, a space listed against each item to indicate the condition of said item

If the rent is payable weekly, the landlord will provide the tenant with a rent book.

If the rent is payable other than weekly, a receipt shall be provided upon request.

If a member employs a managing agent then the member shall either:

- i. at the commencement of the letting personally sign the inventory to confirm his acceptance of the agents description of the items listed in the inventory or
- ii. delegate to the agent in writing the responsibility for the compiling of the inventory and for deciding at the termination of the letting whether all or part of the deposit shall be returned to the tenant.

Members who hold deposits for tenants shall deal with refund of deposit in accordance with the rules of the NWLA. In the event of the matter not being resolved satisfactorily, it shall be settled by arbitration of recourse to the County Court. In the event of such dispute, advice may be sought from the Association, which will be given without legal liability on behalf of the Association or its officers.

6. COMPLAINTS PROCEDURE

The procedure, which follows, will be instigated when a formal complaint is received by the Secretary. A formal complaint must be in a written form, signed by the person making the complaint, and it must include a contact address for further correspondence.

Having received a formal letter of complaint, the Secretary will appoint three officers to form a Complaints Hearing Committee (CHC), and will notify the landlord and tenant of the date of the hearing of the complaint. The Complaints Hearing Committee will meet at an agreed time and venue within five days of the complaint being received. The Secretary will attend this meeting to record minutes and to take instructions on any agreed action.

In the event of a dispute centering on the refund of a deposit, the landlord may be asked to pay the deposit into an appropriate account pending the outcome of the hearing.

At the hearing, either side may call witnesses or give a written statement to be read out at the hearing.

The Complaints Hearing Committee will decide by majority vote whether the complaint is upheld or not upheld. For the complaint to be upheld it must relate to an issue related to the Code of Practice of the Association, and be proved beyond reasonable doubt to have occurred as stated. The Chairman will notify both parties of the Hearing's decision, either orally or in writing as appropriate.

If the internal procedure of the Association is exhausted, arbitration shall be by an external arbiter who may be a representative of a statutory body or an independent solicitor.

A non-returnable fee of appropriate value will be payable by both parties to the arbiter.

7. DISCIPLINARY PROCEDURE

Following a hearing by the Complaints Hearing Committee, the committee will consider whether or not to instigate disciplinary procedures against the member. If the committee decides by majority vote, to discipline the member it will either:

Issue a formal written warning stating that if a similar complaint regarding the members conduct is upheld at any future date, the member concerned will be recommended for immediate expulsion from the Association or

Recommend to the Board that the member be expelled immediately from the Association.

8. CONSTITUTION

The constitution includes articles describing:

The objectives of the Association.

The responsibility and discipline of members.

The appointment and duties of the Executive Committee.

The payment of subscriptions, and the recording of accounts.

The procedures relating to meetings.