

Summer Policy / Legislation Update

Dear Colleague

It may be holiday season but there is a lot happening on the policy front! Civil Servants have cleared their desks and published a number of important and interesting documents summarised below. Please circulate to the relevant individuals within your ALMO.

Right to Transfer

CLG started a consultation exercise in March 2012 on Right to Manage and Right to Transfer. Their response to the Right to Manage consultation was published in July 2012 but they have only just published their response to proposed changes in the Right to Transfer. This can be found at www.gov.uk/government/consultations. Scroll down to Right to Transfer(CLG published 22 July 2013)

Revised draft regulations will go before Parliament in the Autumn and be published at the same time as the revised Housing Transfer Manual (see next paragraph)

Housing Transfer Manual

This is better known as the Stock Transfer Manual. CLG and HCA published a consultation document on 22 July 2013. It can also be found at www.gov.uk/government/consultations. Any organisations looking to do Stock Transfers before April 2015 will be required to meet the requirements of the revised Manual which will be published in the autumn.

Pay to Stay

On 25 July 2013, CLG published their response to the consultation document first published in June 2012, which proposed charging higher rents to social tenants who are on high incomes. Again the full response can be found at www.gov.uk/government/consultations under the heading High Income Social Tenants :pay to stay.

The Government is going to press ahead with proposals to allow landlords to charge market rents to social tenants on incomes of more than £60,000 per annum. Further consultation on changes to guidance and regulation will follow. However it will require new legislation to put the onus on tenants over the threshold to declare their income

Deregulation Bill

This was published on 1 July 2013. It contains a wide range of proposals to reduce red tape and repeal existing legislation. The main proposals for Housing are

- a reduction in the qualifying period for RTB from 5 to 3 years and

- repealing the requirement for local authorities to have a housing strategy and prepare housing statements. This is currently a requirement under the Local Govt Act 2003

Tackling Illegal Immigration

The Home Office and UK border Agency is currently consulting on proposals to create a new requirement on landlords to conduct immigration checks on tenants.

Whilst the proposals relate primarily to the PRS there are some implications for ALMO's and Council Tenants. e.g

- where ALMO's rent their own homes to tenants not from the Council's waiting lists, it is proposed that the ALMO should do the immigration checks and
- the government is also consulting on whether or not this policy should apply to lodgers and sub tenants

Details can be found at www.ukba.homeoffice.gov.uk

The closing date is tight – 21 August 2013.

If you wish to discuss any of these issues please do not hesitate to contact me.

Best Wishes

Eamon McGoldrick
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