

Rt Hon Robert Jenrick MP
Secretary of State
Ministry of Housing, Communities and Local Government
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Date: 11 October 2019

Dear Robert

MHCLG consultation on the Rogue Landlord Database Reform

We welcome the opportunity to respond to your Ministry's *Rogue Landlord Database Reform* consultation, and the Government's intention to make its national rogue landlord database public. Making the national database public would bring the Government's approach into line with that which the Mayor has taken since launching his Rogue Landlord and Agent Checker in December 2017.

The Mayor's Checker is the first such database in the country to name and shame landlords and letting agents who have been successfully prosecuted or faced civil prosecution. Despite the Mayor having no statutory powers over London's private rented sector, all 32 London boroughs and the City of London have signed up to use it, and since its launch, over 1,800 prosecutions or penalties have been logged, with these records viewed over 120,000 times.

Based on our learning from the Checker, and feedback from the Mayor's Private Rented Sector Partnership which all London boroughs attend, I have set out below the principles by which we believe the national database should operate.

First, the national database must be as easy as possible to access. In London, the competitive and fast-moving rental market means it is vital that those looking for a home can access information about fines or prosecutions against prospective landlords quickly and easily. Requiring people to sign up, or restricting the records they can view, will act as a barrier and prevent the database fulfilling its purpose. The Mayor's Checker makes all publicly-available records readily accessible to renters, which allows them to quickly check a current or prospective landlord.

Second, the database should enable renters and enforcement teams to access information about a wide range of offences committed by landlords and letting agents. We therefore support the Government's intention to include on the database those landlords and agents who have received at least one civil penalty within a 12-month period. This is in line with the Mayor's Checker, which has been used by boroughs to publish civil penalties of £500 and over since May 2019 and currently holds nearly 200 such enforcement records.

Third, it is crucial the national database enables local authorities to view enforcement records for up to 10 years after prosecution. This is the case for the Mayor's Checker, promoting information-sharing between boroughs and providing them with an evidence base to help inform their enforcement work. For example, boroughs now routinely use the Checker to establish whether a landlord has been prosecuted in another borough when making decisions on property licence applications.

Fourth, the lack of staffing capacity is one of the most significant challenges facing borough enforcement teams across London. The national database should minimise the burden on local authorities by making it as user-friendly and efficient as possible. Given how comprehensively local authorities have signed up to the Mayor's Checker, and the overall success of our approach, we believe appropriate data should be 'passported' from the Checker to the national database to avoid duplication of effort for London boroughs.

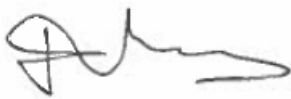
Finally, landlords and agents should be required to disclose their inclusion on the database to prospective and existing tenants, and the Government should consider how this could best be enforced. Such a requirement would further disincentivise landlords and agents to behave unlawfully.

While the Government's consultation to improve the national rogue landlord database is welcome, it is long overdue; it is now a year since former Prime Minister Theresa May committed to making the database public. Moreover, it is essential that these changes are part of a wholesale reform of the private rented sector needed to make it fit for the 21st century.

In July 2019, the Mayor published his blueprint for how the private rented sector should be reformed, including what legislative reforms and devolution he believes are needed to give tenants greater security and to establish a system of rent control in London. You can read these proposals at: www.london.gov.uk/reforming-private-renting.

If your officials wish to discuss the GLA's response further, please contact Lydia Volans (lydia.volans@london.gov.uk) or Scott Bryant (scott.bryant@london.gov.uk) in the GLA's Private Rented Sector team.

Yours sincerely



James Murray

Deputy Mayor for Housing and Residential Development