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EMPO Newsletter



EMPO Events This Spring

[EMPO AGM](#)

**Tuesday 21st May 2024
10:00 - 12:00**

[EMPO Golf Day](#)

Tuesday 4th June 2024
13:00 - 17:00
Wollaton Park Golf Club Lime Tree Avenue, Nottingham, United Kingdom

**UPCOMING
TRAINING
COURSES**

Basic Law for Lettings

Wed, 12th June, 09:00 - 15:30

HHSRS & fitness for human habitation

Thurs, 20th June, 9:30 - 15:30

Fire Safety

Fri, 20th September, 9:30 - 15:30

Management and Licensing of HMO (1/2 day)

Wed, 25th September 09:00 - 12:30

Serving notice & gaining possession (1/2 day)

Wed, 25th September 13:00 - 16:00

Handling disputes & difficult situations in agency

Wed, 9th October, 09:30 - 15:30

Inventories, Deposits and Disputes

Wed, 16th October, 09:30 - 15:30

Basic Law for Lettings

Wed, 6th November, 09:30 - 15:30

Intermediate Law for Lettings

Wed, 13th November, 09:30 - 15:30

Fire Safety - Advanced

Fri, 22nd November, 9:30 - 15:30

**All EMPO training courses will be held at EMPO, 78 Lenton Boulevard,
Nottingham, NG7 2EN.**

Book EMPO Events Now

Nottinghamshire Landlord Fined £17,500 for Operating Unlicensed Properties



A landlord in Nottinghamshire has been penalised with a fine amounting to £17,500 following the discovery by local council officers that he was managing two properties without the necessary license.

These rental residences were situated within the selective licensing area under a program administered by Ashfield District Council in the town of Sutton-in-Ashfield. This scheme has been in operation since 2017 and was extended for an additional five years in 2022. While the scheme initially encompassed the New Cross and Stanton Hill areas of the market town, there were alterations made to these areas during the extension period.

Despite the substantial fine imposed on the landlord, the council has opted for a somewhat lenient approach, despite the fact that both the landlord and their agent disregarded written communications from the council, including a final warning to obtain the necessary licenses for the properties.

Furthermore, the council has chosen not to disclose the identity of the landlord or the properties involved, having reached an agreement to shield them from public scrutiny in exchange for their acceptance of the penalty.

According to the council, the properties owned by the landlord were incorporated into the local selective licensing framework following the extension of an existing scheme two years prior. They stated that these measures have contributed to fostering positive changes and enhancements within the homes and the broader community.

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Stay Ahead: Essential Training for Compliance with Council Licensing Requirements

In the realm of property management, keeping on top of licensing requirements is not just a necessity—it's mandatory. A recent reminder from Nottingham City Council underscores the importance of this obligation for landlords: those who hold licences must undertake training in line with their licensing conditions. Not doing so can lead to severe penalties and disruptions in managing your properties effectively.

Council Training Requirements:

The Council has stipulated that licence holders who have not attended relevant training in the past three years must complete approved training on the law and legal requirements relating to managing privately rented housing within 12 months of their licence being granted. Additionally, licence holders must be prepared to submit copies of their training records within twenty-eight days upon the Council's request.

How EMPO Supports Your Compliance:

EMPO is proud to be recognised as a provider of courses that support compliance with these licensing conditions. Our Foundation Law for Lettings course is specifically designed to meet the needs of landlords and letting agents, ensuring you stay compliant with the latest requirements.

Priced at just £65, this online course offers a quick, cost-effective way to fulfil your training obligations in less than an hour. It covers all the crucial aspects of property law, tenant interactions, and the specific legalities of privately rented housing. EMPO's training not only helps you meet council regulations but also equips you with the knowledge to manage your properties more effectively.

Why Choose EMPO?

Speed and Convenience: *Learn at your pace and complete your mandatory training in under an hour through our accessible online platform.*

Affordability: *At only £65, our course is designed to be budget-friendly while still providing invaluable content.*

Compliance Assurance: *Completing our course ensures that you meet the Nottingham City Council's licensing requirements, safeguarding you from potential fines and legal challenges.*

Enrol Today:

Don't wait for the Council's demand for compliance. Be proactive and ensure you are fully compliant by enrolling in our Foundation Law for Lettings course today. Visit EMPO's training portal to secure your spot and stay ahead in the evolving landscape of property management.

To sign up for just £65, click [here](#)

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SMITH PARTNERSHIP

SOLICITORS

We are thrilled to announce a series of exclusive, free evening seminars hosted by EMPO in collaboration with Smith Partnership. These seminars are crafted to keep you well-informed and ahead of the curve in the dynamic realm of property law. Our sessions will be led by the highly regarded Liam Kreibich and Claire Twells, offering their invaluable expertise and insights.

Event Highlights:

Property Law Insight Series: Derby & Leicester

Hosted by: Liam Kreibich and Claire Twells, Smith Partnership

Course Schedule:

1. Possession Update

Derby: 24th June 2024

Leicester: 18th September 2024

Gain a comprehensive understanding of serving Section 21 and Section 8 Notices, stay updated on the latest landlord and tenant law developments, and prepare for the upcoming changes following the abolition of Section 21 and the introduction of the Renters (Reform) Bill.

2. Wills and Inheritance Update

Derby: 25th September 2024

Leicester: 20th November 2024

Keep your estate planning robust and up-to-date with the latest insights on drafting wills, recent legal changes, and navigating inheritance laws.

Why Attend?

- Benefit from the knowledge of top legal professionals.
- Stay current with the latest property law developments.
- Network with fellow EMPO members and industry experts.

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Don't miss this chance to enhance your understanding and stay ahead in the field. Click the link below to register for the free seminars in Derby and Leicester.

[**Register Now!**](#)

Exclusive Member Benefit:

As an added advantage, EMPO members are eligible for 15 minutes of free legal advice from Smith Partnership. This is a perfect opportunity to get expert guidance on your property law concerns.

For even more training offerings tailored to all landlord and property owner needs, be sure to check out the EMPO Eventbrite page. Stay informed, connected, and ahead with our wide range of educational events and resources.

[**Visit EMPO Eventbrite**](#)

Experts Warn of Potential Loophole in Renters Reform Bill Creating Eviction Confusion

Experts in the private rented sector have identified a potential loophole in the Renters Reform Bill that could lead to a confusing system for landlords and tenants regarding evictions.

The Bill, which aims to eliminate Section 21 'no-fault' evictions, might not fully achieve this goal. The Bill will create three main types of tenancies, with one type still allowing the enforcement of Section 21:

- New tenancies created after the Bill's implementation: Landlords will be prohibited from serving a Section 21 notice.
- Fixed-term tenancies that become periodic after the Bill's implementation: Landlords can serve a Section 21 notice until the tenancy transitions to a periodic one, at which point the new rules will apply, and Section 21 notices will no longer be allowed.
- Tenancies that are already periodic when the Bill is implemented: Landlords can continue to serve Section 21 notices until the government reviews the court system, reports to Parliament, and sets an 'extended implementation date,' after which the new rules will apply to all tenancies.

Under the final scenario, landlords could still issue Section 21 notices even after the election.

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DWP to Monitor Landlords' Bank Accounts Under New Legislation

LandlordZone

Landlords' bank accounts may soon be subject to monitoring as part of new legislation designed to reduce overpayments and fraudulent claims related to benefits.

The Data Protection and Digital Information Bill, which is currently under consideration in Parliament, grants the Department for Work and Pensions (DWP) the authority to monitor all bank accounts linked to those receiving benefit payments, regardless of any suspicion of misconduct.

Landlords who receive benefit payments directly into their bank accounts would be subject to this scrutiny.

The proposed bill aims to save £600 million over the next five years. However, during a House of Lords debate, some peers expressed concern that these surveillance powers could discourage landlords from renting to benefit recipients.

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Landlords Advised to Obtain Tenant Signatures for Important Documents Amid Court Case

Landlords are being advised to ensure tenants sign for important documents, as an upcoming Court of Appeal case could significantly impact the process of serving possession notices.

The case, *D'Aubigny v Khan*, will address whether crucial documents can be legally served by post. The tenant, Ms. D'Aubigny, claims that a Section 21 notice was invalid because she did not receive the Energy Performance Certificate (EPC), gas safety certificate, and How to Rent guide.

Ms. D'Aubigny argues that her tenancy agreement only mentioned 'notices' being served by post, not these specific documents. Therefore, the landlord must provide evidence that the tenant received them, beyond just proof of postage.

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The landlords counter that they served the documents via recorded delivery and that their agreement included a clause deeming notices sent by post as served. They also assert that Section 7 of the Interpretation Act applies in this case.

Implications for Landlords

The outcome of this case could have significant implications for landlords:

Proof of Delivery: *Landlords may need to rethink how they deliver important documents. Relying on postal services, even with recorded delivery, might no longer be sufficient. Obtaining a tenant's signature upon receipt could become necessary to ensure compliance with legal requirements.*

Tenancy Agreements: *Landlords may need to revise tenancy agreements to clearly specify how all important documents can be served, not just 'notices'. This clarity could prevent future disputes over the validity of document delivery.*

Increased Administration: *Ensuring that tenants sign for documents could increase administrative tasks for landlords. They might need to adopt new procedures for tracking and confirming document delivery.*

Legal Compliance: *Failing to comply with these potential new standards could invalidate possession notices, leading to delays in regaining possession of properties and potential legal costs.*

Risk of Disputes: *The requirement for signatures could reduce the risk of disputes, providing clear evidence that tenants received necessary documents, thereby strengthening the landlord's position in any legal proceedings.*

This case underscores the importance for landlords to stay informed about legal developments and to adapt their practices to ensure compliance and protect their interests.

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Minister reveals latest on courts overhaul and ending Section 21

LandlordZone

The government has provided more detail on how it plans to overhaul the courts, along with the timeline for abolishing Section 21.

Speaking during the Renters Reform Bill debate in the House of Lords, Housing Minister Baroness Swinburne said the analogue system was now being worked on to help process new Section 8 possessions on new contracts as soon as possible.

"The digitisation of the processes will follow as soon as possible for the existing contracts, provided that the Lord Chancellor's court assessment suggests that the system can cope," she explained. "I will attempt to supply a visual chart for setting out

Baroness Swinburne added that the new system would have “*great new training for the analogue system to do the immediate new contracts, followed by digitisation*”. She told peers: “*I am a lot more optimistic that new, large digitisation projects can now be delivered on time, and I am confident that we will be able to scope and deliver this as quickly as needed.*”

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