



Llywodraeth Cymru
Welsh Government

GUIDANCE

Coronavirus (COVID-19): guidance for landlords and managing agents in the private rented sector

Information about COVID-19 and what landlords and managing agents in the private rented sector need to do.

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Background

Please note that this situation is rapidly evolving. Please therefore check [GOV.WALES](#) for announcements.

Further information can be found on:

- [Welsh Government Coronavirus](#)
- [NHS 111 Wales symptom checker](#)

This guidance document is designed to provide specific guidance for landlords and managing agents in the private rented sector across Wales.

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This document will be updated regularly as further information, guidance and support is made available.

Self-isolating

Alongside adhering to the most current [public health guidance](#), it is important to consider contingency plans for supporting your tenants.

If you yourself have to [self-isolate](#), then you will need to ensure that tenants are made aware of alternative arrangements to get in contact with you through email, telephone or by text message or, where this isn't possible, through a family or friend.

If you have tenants who are older, or if you are aware of a tenant with an underlying health condition, we would recommend contacting them by phone, email or text message to establish how they are managing, whether they are affected, and whether they are self-isolating or shielding.

If a tenant requires hospitalisation for COVID-19, the property should be thoroughly cleaned in line with [current guidance](#).

Visiting properties

Read the guidance on [facilitating property viewings for the public](#).

Landlords' repair obligations have not changed. Tenants have a right to a decent, warm and safe place to live – and it is in the best interests of both tenants and landlords to ensure that properties are kept in good repair and free from hazards.

Professional judgement should be used when considering whether to carry out non-urgent repairs and maintenance work or any other property-related service. You should communicate with your tenant or tenants in planning any repairs and maintenance and should also allow tenants to make their own personal judgement as to whether allowing access to the property is necessary.

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Read the [guidance on going into other people's homes](#).

Where access is required to the property, we recommend checking with the tenant to understand whether they are self-isolating or shielding. If they are, you must not attend at the property. We recommend no work should be carried out in any household which is isolating or where a person who is classed as extremely vulnerable is undertaking 'shielding' measures, unless it is to repair a fault which poses a direct risk to people's safety – for example, emergency plumbing. In these cases, [Public Health Wales](#) can provide advice to tradespeople and households. But no work should be carried out by a tradesperson who has coronavirus symptoms, however mild.

Inspectors or maintenance workers can still visit blocks of flats and multi-occupied properties for essential or urgent work such as inspecting and testing fire alarm and emergency lighting systems where it is safe to do so.

Get information on the [restrictions for gas engineers, advice for landlords and tenants on the Gas Safety Register](#).

The [Health and Safety Executive \(HSE\)](#) has provided a wealth of new [information for landlords](#) including a variety of scenarios which may help provide some clarity for those concerned for their well-being or the well-being of their customers.

Domestic private rented property in Wales is regulated by the Minimum Energy Efficiency Standards (MEES). An EPC rating of E or above is required on these properties in order to comply with the law. From 1st April 2020, the UK Government introduced legislation which will extend to cover existing tenancies in England and Wales. Further information on the MEES requirements can be found on [Rent Smart Wales](#).

The Welsh Government has issued guidance to local authorities emphasising that enforcement in the private rented sector should be focused on responding to emergency situations. We would not expect enforcement of EPC standards to be classed as an emergency at this current time.

During these unprecedented times we encourage landlords to take a pragmatic,

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common-sense approach to non-urgent issues which are affected by COVID-19 related restrictions. If you are not able to gain access to the property due to restrictions in place to tackle COVID-19, or are not able to engage a contractor to carry out the necessary work, we recommend you document your attempts to do so and all correspondence with your tenants.

Keeping an audit trail

It's important that you keep an audit trail where you discuss any enforcement activity that has had to pause as a result of Covid-19. This will provide documented evidence that you have done whatever you can to comply with the law. For example, where the tenant is self-isolating so you are unable to visit the property, or you are unable to undertake work at the property because a tenant is self-isolating.

Examples of good practice

Telephone conversations

You could record the date and time of any telephone calls where you agree a decision, including a summary note of the conversation.

Text messaging

You could keep a record of all text messages sent and received, including a summary note of the conversation. You could also save a copy of the text messages to your computer.

Email

You could follow up any telephone calls with an email which states what you discussed and agreed and ask the recipient (be that a tenant or contractor) to reply to confirm that they are content with the summary you have provided. You

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could save a copy of these to your computer so that you have access to them in the event that your email account is inaccessible.

Letters

You could keep a copy of all letters that you send to and any letters that you receive from your tenants. You could also note the date that they were sent, and send by a tracked postal method, so that you can confirm whether they were delivered or not.

Supporting your tenants

Where tenants have difficulty paying rent over this period, we ask that landlords do not issue a notice seeking possession, particularly given that the tenant may be sick or facing other hardship due to COVID-19.

It is important to remember that your tenant/s may be experiencing a reduced income as a direct result of self-isolation and advice on the pandemic. If your tenant/s is/are struggling to pay the rent communicate with them and agree arrangements for them to repay any arrears incurred at the earliest opportunity.

The Minister for Housing and Local Government is clear that she expects landlords to pass on the benefit of any mortgage repayment holiday to tenants.

We are encouraged by the positive and proactive approach many landlords and managing agents are taking to support their tenants through this crisis. This has included landlords negotiating rental payment plans with tenants where their income has decreased as a result of the crisis, and affordable repayment plans where tenants have fallen into arrears. We would encourage you to continue to be supportive to your tenants and deliver maximum flexibility throughout this crisis, wherever possible.

We have produced [guidance for tenants in the private rented sector](#). We have also produced guidance on [financial support available to tenants](#). You should use this guidance to signpost your tenant/s to the appropriate help and

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support that may be available to them. Your tenants may be eligible to claim support through the Department for Work and Pensions (DWP), dependent on their individual circumstances. The way in which landlords can request a **Direct Rent Payment (ADRP)** has been simplified.

Notice seeking possession

As a result of the coronavirus pandemic, regulations have been made under Schedule 29 to the Coronavirus Act 2020 that temporarily extend, until 31 March 2021, the minimum notice periods landlords in the private rented sector must give to tenants with assured and assured shorthold tenancies.

A 6 month notice period will apply to notices issued on or after 24 July 2020 under section 8 of the Housing Act 1988, except those that specify grounds 7A or 14 (relating to anti-social behaviour). In relation to these latter grounds, notice requirements have reverted to the pre-covid position since 29 September.

A 6 month notice period will apply to notices issued on or after 24 July 2020 under section 21 of the Housing Act 1988.

The temporary change to notice periods is being made in order to further delay evictions during the ongoing public health emergency. It will mean that:

- fewer people will face eviction into homelessness at a time when local authorities are less able to respond to these situations
- those renting their homes will benefit from increased security and reduced anxiety
- individuals at risk of eviction will be provided with increased time to seek support to resolve any problems

Please note: for all possession notices served between 27 March and 23 July, a 3 month notice period applied and that notice period continued to apply until 28 September to any notice issued under section 8 of the Housing Act 1988 that specified grounds 7A and 14 (relating to anti-social behaviour).

Read the **[guidance on the current possession process on GOV.UK](#)**.

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Additional support

The outbreak of Covid-19 can be especially worrying if you have **difficulty paying your bills, rent or mortgage**, if you are self-employed or if you have a business and are trying to stay afloat. Help and advice is available from many different organisations. Some of this help and support is new, set up to help you manage financially during the coronavirus outbreak, so it is worth checking out what might be available to you.

Whether you're a landlord or letting agent, it's important that you talk to your tenants at the earliest opportunity if, as a result of the current situation, you think they might have difficulty paying their rent or bills. There is a lot of support available for tenants and you should encourage them to access it, which in turn, should help them to pay their rent and bills. The Welsh Government has produced **guidance for tenants, which outlines the financial support available**.

Other help and guidance for businesses in Wales on GOV.WALES.

Financial support for individuals on GOV.WALES

Examples of financial support

Universal Credit

Universal Credit is a payment to help with living costs and is paid monthly in arrears.

Job Seekers Allowance (JSA)

You might be eligible for New Style JSA to help you when you look for work.

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Employment Support allowance (ESA)

People that are ill or self-isolating may be able to apply for Employment Support Allowance.

Statutory Sick Pay

People who are unable to work because of coronavirus, and are eligible, can receive Statutory Sick Pay (SSP) from day one of their illness.

Job retention scheme – Furlough

The Coronavirus Job Retention Scheme helps employers with a PAYE scheme cover staff costs.

Self-employed scheme

If you're self-employed and the coronavirus has affected you, the scheme will allow you to claim a taxable grant.

Mortgage holiday

If you are experiencing financial difficulties meeting your mortgage or rental repayments because of COVID-19, you may be entitled to a mortgage or rental holiday for 3 months. This includes if you are a landlord whose tenants are experiencing financial difficulties because of COVID-19.

Council tax support

If you're having financial difficulties you may be able to ask your council for help with your council tax payments.

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Gas, electricity, water, broadband and mobile phones

If you're having financial difficulties in meeting your bills, talk to your provider who may be able to help.

Business Rates Relief

This relief provides a year-long business rates holiday for retail, leisure and hospitality businesses in Wales. Local Authorities will be looking to automatically award the business rates holiday to all eligible parties as soon as possible, and they will receive a new bill will be sent out when the award has been made. The relief has been extended to include estate and letting agents.

Coronavirus Business Interruption Loan Scheme (CBILS)

CBILS provides financial support to smaller businesses (SMEs) across the UK that are losing revenue, and seeing their cash-flow disrupted, as a result of the COVID-19 pandemic.

Bounce Back Loan Scheme (BBLs)

The Bounce Back Loan Scheme enables smaller businesses to access finance more quickly during the coronavirus outbreak. The scheme helps small and medium-sized businesses to borrow.

Alternative payment arrangement

If your tenant is a Universal Credit claimant, you may be able to agree an Alternative Payment Arrangement (APA). This means that you will receive the housing costs element of Universal Credit as a Managed Payment (MP) directly from the Department for Work and Pensions (DWP) rather than from the tenant. There are certain conditions that apply.

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Further help and advice

You may find it beneficial to discuss your financial situation in more detail and, or get further information, advice and support. Some useful links are listed below.

- [Business Wales](#)
- [Citizens Advice](#)
- [Citizens Advice \(Covid-19\)](#)
- Advicelink Cymru: 03444 772 020 Text relay: 03444 111 445
(phone lines operate between 9am-5pm Monday to Friday and it is usually busiest at the beginning and the end of the day-they are not open on public holidays)
- [Chat to a Citizens Advice debt adviser](#) (this chat is usually available 8am to 7pm, Monday to Friday-it is not available on public holidays)
- [Chat to a Citizens Advice adviser online about another issue](#) (this chat is usually available 10am to 4pm, Monday to Friday- it is not available on public holidays)
- [Step Change Debt Charity](#)
- [Turn2Us](#)

Empty properties and key workers

If you have an unoccupied property and would like to make the Local Authority aware of it so that they may use it towards the emergency accommodation for homeless people, you can complete the [landlord vacant property form](#). More information is available on the [Rent Smart Wales website](#).

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