



# Dacorum Borough Council

## Fit and Proper Landlord Statement



For the purpose of a fit and proper check the term 'landlord' applies to whoever is responsible for the management of a property.

We have to take certain things into account when deciding whether or not a landlord is a fit and proper person. This will inform our decision on all applications to licence Houses in Multiple Occupation (HMO) in Dacorum.

A range of factors will be used to determine if a landlord is considered fit and proper, these include but are not limited to;

- Information showing that the landlord has committed fraud, or violent or drug related offences.
- Evidence of discrimination in any business activity.
- Information showing that they have broken any other laws in relation to housing.
- Information showing that they are a bad landlord, or that they have been a bad landlord in the past.
- Anti-Social Behaviour problems in any properties the landlord rents out or is responsible for.
- If the landlord has an agreement with a letting agent (or anyone else who's acting on their behalf in letting the property), that the terms of that agreement are adequate.
- Anything else which is relevant.

The Private Sector housing team will request Personal Data from other Council departments in order to assess the 'fit and proper' test of a prospective landlord.

All applying landlords will need to also provide a copy of a standard Disclosure and Barring Service (DBS) check as part of this assessment.

A criminal conviction does not always mean that a landlord will not pass the test. The dedicated Private Sector Housing Team will assess every case individually and weigh up all the circumstances when making a decision. For example:

- what the conviction was for
- how long ago it was
- whether or not it will affect the person's ability to be a good landlord
- the risk of the same thing happening again and whether that would affect the person's duties as a landlord
- potential risk to tenants particularly if vulnerable

We may decide to speak to the landlord when making this decision and may request further evidence if necessary.

In April 2018, the Ministry for Housing Communities and Local Government launched the rogue landlord database. Every application received will be checked against the rogue landlord database and if required we will contact the enforcing local authority to gather more information.