

# Rhentu Doeth Cymru Rent Smart Wales



## Rent Smart Wales

### Licensing Training Requirements: Guidelines for Applicants

2019



This document is available in Welsh

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# 1. Introduction

This document sets out the training requirements for landlords and agents in order to be licensed to undertake letting and/or management activities at domestic rental dwellings in Wales. The licence and training are granted and delivered by Cardiff Council as the Single Licensing Authority (SLA) under Part 1 of the [Housing \(Wales\) Act 2014](#). Collectively the partnership and service is known as Rent Smart Wales (RSW). Training is also able to be delivered by external training providers who have applied for and been given training authorisation and course approval by RSW.

This document sets out the requirements placed on landlords and agents to meet the training minimum standard for a successful licence application. This will ensure that a consistent approach is achieved for all applications considered by RSW and consequently management practices in the private rented sector in Wales will improve as a consequence. This approach promotes learning on an ongoing basis without placing too heavy a burden on landlords, managing agents and tenants.

In developing this approach, consultation has taken place with a range of stakeholders. However, further feedback is always welcomed using the contact details provided below. Consideration will be given to any suggested improvements in future revisions.

In adopting this approach RSW intends to, deliver and ensure access to training consistently and fairly, whatever the circumstances. Decisions will not be influenced by the gender, disability, language, ethnicity, religion, political beliefs or sexual preference of the delegate.

RSW wants to make it easy for you to receive our information. This document is published in English and Welsh on our [website](#) and in hard copy. We are also able to provide the document in alternative formats including audio tape, large print and in community languages. We have access to interpreter services where required. Requests for copies in other formats or other languages should be addressed to:

Rent Smart Wales,  
PO Box 1106,  
Cardiff.  
CF11 1UA

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## 2. Aim of this document

Rent Smart Wales (RSW) strives to ensure that all landlords and agents involved in the management of privately rented property comply with the legislation in order to improve the standards and management of the sector and to better protect the interests of tenants.

RSW's responsibility is to ensure compliance with Part 1 of the Housing (Wales) Act 2014 ensuring that landlords of rented property in Wales are registered and self-managing landlords and agents are licensed. Part 1 of Housing (Wales) Act 2014

requires that those who apply for a licence must have undertaken approved training. Any employee of the applicant, involved in the letting and management of property, must also undertake approved training.

Our ultimate purpose is to ensure that the private rented sector functions effectively, providing a safe and secure place for tenants to live. The training that we deliver and approve will provide landlords and agents with an understanding of their legal obligations and also best practice tips in the letting and management of properties.

### **3. Purpose of the Guidelines**

The purpose of this document is to set out the RSW minimum standards in respect of training for licensing landlords and agents, and to give guidance to those affected by it, in particular landlords and managing agents.

The staff of RSW will apply these guidelines when processing and approving licence applications. This guidance will be subject to monitoring / review periodically.

### **4. What is the status of this licensing training requirements document?**

This document has been adopted in accordance with the Cardiff Council constitutional arrangements and has been endorsed by the Welsh Heads of Environmental Health on 7<sup>th</sup> December 2018

### **5. Legislative powers / requirements for licensing**

The Licensing Authority must specify requirements in relation to training (in accordance with 19(3) (a) of the Housing (Wales) Act 2014 and Regulation 4 of The Regulation of Private Rented Housing (Training Requirements) (Wales) Regulations 2015.

Training must be specified in respect of:

- a) the statutory obligations of a landlord and tenant;
- b) the contractual relationship between a landlord and tenant;
- c) the role of an agent who carries out lettings work or property management work;
- d) best practice in letting and managing dwellings subject to, or marketed or offered for let under, a domestic tenancy;
- e) the role of a landlord who carries out lettings activities or property management activities; and
- f) any other requirements in relation to training which the licensing authority considers necessary to be included in an approved training course.

Therefore in order to be awarded a licence, both landlords, agents and any connected persons must have completed either a training course with Rent Smart Wales which will cover the minimum content set out in points a to f above, or alternatively a course which has been approved by Rent Smart Wales and delivered

by an authorised external training provider. These courses will again meet the minimum content specified above.

The syllabus applied to a course suitable for an initial licence application has been in place since 23<sup>rd</sup> November 2015 and will continue to be appropriate for first applications.

Training must be completed within a 1 year period prior to the date of application submission.

## **6. Re-licensing Training Requirements**

Additional training options are available for landlords and agents to satisfy the training requirements at re-licensing stage. This additional flexibility is available in recognition of the fact that applicants have previously undertaken the one day course.

The options available for licence renewal are set out below:

- a) either original licensing course (classroom or online) to be completed within a 1 year period prior to the date of application submission, or,
- b) re-licensing course (classroom or online) module to be completed within a 1 year period prior to the date of application submission, or,
- c) approved Continued Professional Development (CPD) courses to be completed over the 5 year period prior to the date of application submission. A minimum 60 points of CPD must be achieved for a landlord licence and 80 points of CPD for an agent licence

Some courses are available in a classroom and some online. Landlords and agents are able to choose the type of learning that suits them. Learning can either be fully completed online, or in a classroom environment or a mix of the two.

Training can either be done solely through Rent Smart Wales courses or combining Rent Smart Wales courses with external providers courses where available.

Some online courses may be available free of charge and some may incur a cost to the delegate. All courses both online and classroom delivered by Rent Smart Wales will be available in both English and Welsh.

Where licensees choose to complete CPD for re-licensing a minimum number of points and core subjects must be covered.

## **7. What does CPD mean?**

CPD courses provides the opportunity for landlords and agents to have more flexibility about the timing, subjects and delivery environment for the training, compared to the 1 day licensing course. This allows landlords / agents to tailor their training to their specific business and individual needs and to learn in far greater detail about specific topics.

Some elements of CPD are mandatory, other elements can be selected based on individual interest / business need.

CPD is based on points which are awarded by the Single Licensing Authority at the approval stage of the course.

Number of points are determined following officer assessment having regard to:

- Pre-determined syllabus
- Time taken at the event
- Method of course completion (classroom or online etc.)
- Whether assessment is an integral part of the course
- Relevance of the subject matter to the RSW objectives

A higher number of points are awarded where courses are considered to be mandatory and/or more beneficial to RSW objectives.

The underlying principle of fair access to all apply to our training arrangements, measures are taken to ensure that people are not disadvantaged by the options available. Feedback which would improve our service in this regard is always welcome.

## **8. What CPD courses are available??**

Appropriate CPD courses could include (but not exhaustive):

- New legislative requirements e.g. Renting Homes Act
- Intermediate law for landlords and agents
- Housing Act 2004
- Houses in Multiple Occupation and licensing / management requirements
- Fitness for Human Habitation & HHSRS
- Contracts
- Considerations before Letting
- Possession
- Serving Notices
- Fire Safety
- Electrical Safety
- Gas Safety
- Legionella Risk Assessments
- Damp and Mould
- Tax (Including; capital gains, income, council tax etc.)
  
- Energy Efficiency
- Customer Service
- Tenancy types
- Tenancy Agreements - Setting them Up
- Tenancy Deposit Masterclass
- Inventories
- Rent

- Welfare Reform and Universal Credit
- Utilities (Water, gas and electrical supply)
- Referencing and Vetting Tenants
- Guarantors
- Changing Tenancy Terms
- Ending a Tenancy
- Unlawful Discrimination
- Ant-social Behaviour
- Data Protection
- Record Keeping
- Housing law update (Agents and Landlord)
- Managing Rent Arrears
- Marketing your Lettings
- Repairing Obligations
- Equality & Diversity
- Managing Student lets
- Specialist Training
- Law of Agency for letting agents
- Others to be determined by the SLA, as required ( changes in legislation and/or requests from landlords / agents)
- Code of Practice
- Tenancy Terms
- Supporting vulnerable tenants

## 9. Working with Stakeholders

RSW has established a Stakeholder Consultation structure. We will continue to work with stakeholders through this and other fora and welcome suggestions to improve the way we manage our service.

Stakeholders and other external training providers are able to make applications to Rent Smart Wales to have their courses approved and to become authorised training providers in delivering both the re-licensing course and also CPD courses.

## 10. Comments and complaints

We strive to provide a high standard of service. However, for anyone wishing to make a complaint about the service they have received from us, there is a formal complaints procedure, to ensure that concerns are dealt with quickly and consistently. Complaints can be made in person, in writing, by email or by using the online enquiry form. You will find more information about our Complaints Policy at: <https://www.rentsmart.gov.wales/en/resource-library/>

Any comments or complaints about the application of this guidance should be addressed to Rent Smart Wales at the address given in the introduction to this document.

On occasion, one of our 22 local authority partners may be more appropriate to investigate, under their own Complaint Policy. If this is the case we will advise the customer and refer the matter to the local authority in question to provide an appropriate response.

Sometimes your concern or complaint will not be dealt with via the Complaints Policy, examples include:

- an appeal against a 'properly made' decision made by the Council
- a means to seek change to legislation or 'properly made' policy decision
- decisions in respect of which there is a separate right of appeal or review, e.g. via a Residential Property Tribunal

## **11. Review and Monitoring**

This Guidance is reviewed periodically. This includes consultation with the Welsh Heads of Environmental Health

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