

# DASH Landlord Accreditation

## Cancellation Policy

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### **1. Policy statement**

Accreditation contributes to the DASH objective to increase the supply of good quality well managed accommodation within the private rented sector.

This policy sets out the responsibility for landlords to engage with the Accreditation process in a timely manner, and how DASH will respond when this is not the case, including its right to cancel an application.

The publication and adherence to this policy fulfils DASH's commitment to a fair, consistent and transparent Accreditation service, and to use its resources in an efficient and effective manner.

### **2. Scope**

This policy applies when a landlord seeks Accreditation for the first time or upon renewal.

The policy applies when a landlord does not complete the following stages of the Accreditation process in a timely manner as set out under Procedures (below):

#### ***2.1 The online Application Form including***

- Inputting of the correct contact details
- Agreement to the terms of conditions including accepting the Scheme Manual requirements
- Declaration that the landlord has not been subject to enforcement activity within the last two years
- Agreement to information sharing which may include a for 'Fit for Accreditation' check
- Agreement to the DASH privacy policy
- Supply of a complete list of all the rental property addresses they own indicating which local authority they fall within & full property details e.g. license details, state of repair
- For renewals, logging in and renewing accreditation after the initial term expires

#### ***2.2 Any part of the Application Process including***

- Payment of fees
- Completion of training

- Provision of information to prepare for an inspection (for example pre inspection checklist, floorplans and certificates where requested)
- Self-declaration online checklist, where this shows the property to not reach the Scheme requirements
- The property or the landlord do not fit the Scheme criteria e.g. the property is an holiday rental or is not owned by the applicant

### ***2.3 Access for Inspection***

- Virtual or physical
- At an agreed date, within a reasonable timeframe
- The landlord is responsible for ensuring access – if a tenant or agent prevent access, application will be cancelled unless an alternative property is available for inspection

### ***2.4 Other circumstances in which cancellation will apply***

DASH will also cancel an application in the following circumstances:

- If the landlord does not pass the Fit for Accreditation check with the local authority
- If, upon inspection, the volume of points which do not meet the Scheme standards means that the property falls outside the scope of a verification inspection (as the inspection visit is for verification and not consultancy purposes)
- If, upon inspection, a property does not meet Scheme standards and progress with remedial actions are not reported within timescales specified
- If the landlord does not meet the Management Standards in the Code of Conduct and does not engage with DASH to improve
- If a tenant complaint against a landlord is upheld by the Accreditation and Appeals Panel (AAP), at the AAP's discretion.

## **3. Rights & responsibilities**

### ***Landlords:***

- Agree to meet the DASH Scheme standards (as set out in the Scheme Manual) at the point of application or re-application and throughout the term of membership
- Are expected to engage with the Inspection process in a timely manner, responding to DASH requests for information and access to properties
- Retain full responsibility for addressing any remedial works immediately to maintain tenant safety – DASH timelines, specified in their report, are for the receipt of confirmation that the work has been completed
- Have a right to raise queries regarding DASH recommendations for remedial action, and receive a clarifying response within a month
- Have the right to cancel, if they do not want to make the recommended remedial measures, but with a loss of fees and a potential impact on licensing discounts

- May appeal a cancellation decision made by DASH, including to the Accreditation and Appeals Panel (AAP)
- May reapply at any time when in a position to meet the Scheme requirements, without prejudice

***DASH:***

- Are responsible for clearly communicating what is expected of landlords to complete Accreditation, in the Scheme Manual
- Will maintain a policy (herein) setting out what may lead to cancellations
- Will explain clearly why cancellation is taking place
- Will consider extenuating circumstances and / or alternative remedial actions proposed by landlords where this is the reason for cancellation
- Will seek advice from the Accreditation Review Group (ARG) in the event that an agreement cannot be reached
- Has the right to cancel an application where they believe standards have not been met within agreed timescales and all other avenues have been exhausted
- Will respect the landlord's right to cancel
- Has the right to retain any fees paid, following application, when Accreditation is cancelled
- Will ensure landlords have a fair option to appeal
- Will communicate cancellations to the relevant local authority or authorities, and any additional information which may impact a licensing decision, subject to relevant data sharing regulations

***Accreditation and Appeals Panel (AAP):***

- Will provide an independent mechanism for landlords to challenge DASH decisions regarding cancellation
- Will assess cases objectively, in accordance with DASH policies and procedures
- Has the final decision

**4. Procedures**

***During Accreditation***

- The DASH Online Application and Application Process must be completed within no more than 8 weeks in total
- Cancellation will apply in the event of this timescale not being met or in other circumstances as set out above
- The DASH Team will email regarding a cancellation within 2 weeks of a decision
- Correspondence is via email and so landlords are responsible for checking their junk folders

### ***Extenuating circumstances***

- DASH will apply reasonable judgement to extend these deadlines where:
  - There is correspondence from the landlord giving reasonable extenuating circumstances for the delay, and
  - Has put in place interim measures to manage tenant safety. Any extension agreed with DASH does not indemnify the landlord/agent from their responsibilities to comply with statutory and contractual obligations.
  - Where a landlord commits to a date when the process will be completed (not less than 6 months from the date of inspection)
- Cancellation will then apply if this date is not met
- Extenuating circumstances will be considered on a case by case basis, by exception
- In such cases, before agreeing to any extension of deadline DASH reserves the right to inspect another property within a landlord portfolio to give assurances

### ***Appeals***

- Upon cancellation, the landlord may appeal, setting out their concern in writing, to the DASH Manager within 4 weeks of the date of this communication
- The DASH Manager will review the case, including relevant correspondence, to determine whether they judge DASH to have followed proper policy and procedure, and whether they consider the landlord to have met their responsibilities set out in the Scheme Manual
- The DASH Manager's response will be issued to the landlord within 4 weeks of the date of the landlord's initial appeal
- If the landlord does not agree with the DASH Manager's finding the landlord may then appeal to the AAP, as set out in the DASH complaints policy

## **5. Other parties**

- Derby City Council delivers DASH services and employs its staff, and so requires DASH to work within its policies and procedures - any complaints regarding conduct of individual DASH Team members are therefore outside of the scope of this policy and are to be addressed by DCC management, via the DASH Services Manager in the first instance [linda.cobb@derby.gov.uk](mailto:linda.cobb@derby.gov.uk)
- Any decision made by DASH or the AAP is for Accreditation process purposes only and does not constitute legal case law or a decision for licensing purposes

## **6. Contacts**

For further information about this policy or to appeal a cancellation decision please contact:

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