

## **Ensuring tenants' access to gigabit-capable connections**

### **Written evidence from the National Landlords Association**

20 December 2018

#### **About the NLA**

1. The National Landlords Association (NLA) is the UK's leading organisation for private residential landlords, with 40,000 landlord members – ranging from full time landlords with large property portfolios to those with just a single letting.
2. NLA membership helps landlords make a success of their lettings business by providing a wide range of information, advice and services.
3. We campaign for the legitimate interests of landlords by seeking to influence decision-makers at all levels of government and by making landlords' collective voice heard in the media. We seek to raise standards in the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

#### **Summary**

4. We welcome and support the roll out of next generation Fibre to the Premises (full fibre). In relation to the consultation, we have several areas where we think the proposals can be strengthened to aid in the roll out of gigabit-capable connections.
5. Our response relates to the roll out of full fibre to properties in the private rented sector and let through tenancy agreements by private residential landlords. We are not in a position to comment on the requirements for accessing property held by other types of landowners or freeholder landlords.

#### **Response to roll out**

6. To facilitate the roll out, we would suggest that a pro forma letter is produced which could be given to landlords by their tenants or other interested parties, outlining what is being asked of the landlord. This would explain the process, along with the timeline and dates of when work should be expected to commence, its duration, and any potential disruption. This could also be distributed by local authorities to all known landlords when a scheme is rolled out. Consideration should also be given to door-to-door communication and leafleting as appropriate so that a consistent approach is taken along with clear guidelines as to the process.
7. We would also suggest that the letter sits on the appropriate sections of gov.uk relating to DCMS, and the Ministry for Housing Communities and Local Government, as well as individual local authority websites, as the scheme throughout the duration of the roll-out and beyond. Additionally, it can be included in the How to Rent Guide that is handed out at the beginning of a tenancy, with a link and guidance to the tenant on what is being proposed.
8. We would promote such a letter on our website and in our communications to our members to raise awareness among landlords of the process. We can also provide advice to landlords on how to respond to such a letter. We could also support this at our local meetings, in areas where schemes are being rolled out.
9. The awareness of the roll out could be enhanced by working with local authorities especially when

concerned with Houses of Multiple Occupation (HMO). The majority of larger HMOs will be licensed by a local authority, which will have the contact details of these landlords and other parties responsible for the management of the properties. The communication to the landlords outlining what is happening would reduce a lot of the confusion and stop multiple applications from tenants. This can be done at the planning stage and would reduce the number of landlords who fail to respond.

## Legal

10. Whilst we recognise the importance of being able to access properties, the use of the courts to do so should be a last resort. If a landlord does not reply they should be classified as 'non-cooperative' rather than 'absent'. When going to court an operator should have two examples of a landlord not replying to a tenant asking through a prescribed process, such as two emails with the letter attached, or two letters being posted, and not responded to over a two-month period.
11. With a change to the process so that engagement starts at the point of planning permission for the laying of cables being sought from the local authority, the landlord will have several occasions where contact should have taken place. The process should also consider that at a change/end of tenancy, a tenant may not ask for connection if the tenancy is coming to an end. We would therefore support informing people beyond just the tenant that the connection is offered.

## Further points

12. We would welcome an operator's code of conduct which would also apply to any contractors engaged with in the roll out. We believe that this would help tenants and landlords. The code should set out the guideline and commitments that will be undertaken in the roll out of the network and a redress scheme for when problems arise. This would increase support and provide a framework if a problem arises.
13. We thank DCMS for giving us the opportunity to respond, we would be happy to clarify any points and we would be willing to help develop the pro forma letter for landlords. For further information, please contact Gavin Dick, Local Policy Officer, at [policy@landlords.org.uk](mailto:policy@landlords.org.uk) or on 020 7840 8938.