

**Editors notes:**

The aim of London Trading Standards Week is to promote and raise awareness about the wide range of work carried out by Trading Standards Services across London. Further details about the rest of the campaign can be found on the website, [www.londontradingstandards.org.uk](http://www.londontradingstandards.org.uk). #LTS Week

1. London Trading Standards (LTS) represents the 33 Local Authority Trading Standards services in the London Region. We share information and awareness campaigns across the capital to protect consumers and safeguard legitimate enterprise.
2. Our members advise on and enforce laws that govern the way we buy, sell, rent and hire goods and services. We carry out inspections and monitor or investigate complaints. We endeavour to work with businesses to help achieve compliance but ultimately we can prosecute those who break the law.
3. For information about government approved redress schemes:  
<https://www.gov.uk/government/publications/lettings-agents-and-property-managers-redress-schemes>
4. The National Approved Letting Scheme (NALS) has created a toolkit to help local authorities tackle rogue letting agents who fail to comply with the law. <http://www.nalscheme.co.uk/wp-content/uploads/2017/05/NALS-Effective-Enforcement-in-the-PRS-Toolkit-June-2016.pdf>
5. The government has announced plans to make Client Money Protection compulsory and scrap tenant fees.
  - <http://www.bbc.co.uk/news/business-40354019>
  - <https://www.tpos.co.uk/members/client-money-protection>
6. The Consumer Rights Act 2015 – requires letting agents to clearly publicise their fees and charges and other information. Letting agents must display a list of their “relevant fees” and other required information in their premises in which they deal with customers face to face, and also on their websites. The lists in their premises must be clearly visible to prospective tenants and landlords.
7. “Relevant fees” are fees, charges or penalties payable to the letting agent by tenants or landlords. The list of fees must include:
  - a description of each fee, so that customers understand what it is for (e.g. “administration charge” is too vague a term, agents must specify what it covers);
  - for tenants, an indication as to whether the fee is per tenant or per dwelling unit; and
  - the actual amount of each fee, including tax; or, if the fee cannot be worked out in advance, a description of how the fee will be calculated.

In addition, all letting and/or property management agents must publish with their list of fees:

- a statement as to whether the agent is a member of a client money-protection scheme; and
- an indication that the agent is a member of an approved redress scheme, and to which scheme they belong.

This legislation came in to force on the 27th May 2015 and breaches of the Act carry a penalty of up to £5,000 per breach and government guidance recommends that the full penalty should apply unless there are exceptional circumstances.

For Further information about the Act:

- <https://www.businesscompanion.info/en/quick-guides/services/letting-agents-display-of-fees>
- [http://www.legislation.gov.uk/ukxi/2015/951/pdfs/ukxiem\\_20150951\\_en.pdf](http://www.legislation.gov.uk/ukxi/2015/951/pdfs/ukxiem_20150951_en.pdf)
- <http://www.legislation.gov.uk/ukpga/2015/15/contents/enacted>

8. Examples of other recent legal action taken by Trading Standards against letting agents:

**Camden** wins appeal over ‘administrative’ fees listed by Foxtons

- <http://www.propertyindustryeye.com/eye-newsflash-case-of-national-significance-as-council-wins-appeal-against-foxtons/>

Just last month an **Islington** based lettings agency run by a jet-setting couple faced fines and costs of more than £20,000 after the company admitted that it illegally deprived tenants of their housing rights by wrongly issuing “sham licences” designed for live-in nannies or lodgers instead of assured tenancy agreements to two renters in Holloway. This meant they had no legal protection against eviction by their landlords or any guarantee that their deposit would be returned. The local authority brought a prosecution against the firm that is thought to be the first of its kind in Britain.

- <https://www.standard.co.uk/news/crime/jetset-couple-s-lettings-agency-is-hit-with-20000-bill-over-illegal-rental-practices-a3616371.html>

Flyboarding also still remains a major problem in the Capital. This is the practice of having a sign outside a property giving the misleading impression that there is a property to sell or rent when this is not the case. Rogue agents do it to create new business by enticing new customers to make contact. The borough of **Enfield** alone has served 221 removal notices and 185 fixed penalty notices in the last 18 months in respect of this practice.

In another letting related matter a confiscation hearing will take place next month at Southwark Crown Court to determine if a convicted ‘letting agent’ should pay financially for his crimes by having any illegally obtained benefit confiscated. This follows a successful prosecution under the Fraud Act 2006 by **Westminster** Trading Standards resulting in the individual purporting to be a letting agent been imprisoned for 28 months for taking prospective tenants deposits and rent payments without providing the property.

- <http://www.propertyindustryeye.com/serial-fraudster-comes-out-jail-after-pretending-to-be-letting-agent-and-does-it-all-over-again/>

In July 2017 a letting agent pleaded guilty over false claims following an investigation by **Southwark** Trading Standards. KKB Financial Services Limited, a property management and lettings business based in East London, and its Director pleaded guilty to unfair trading offences relating to false claims about membership of the National Approved Lettings Scheme (NALS) and the Safeagent scheme. Sentencing is due to take place at a later date.

- <https://www.southwark.gov.uk/business/trading-standards-and-food-safety/trading-standards-monthly-news?chapter=2>

9. LTS Week (#LTSweek) runs from 25 to 29 September 2017. Further details about the rest of the campaign can be found on the website, [www.londontradingstandards.org.uk](http://www.londontradingstandards.org.uk). The theme for LTS week is London Trading Standards - Protecting Consumers; Safeguarding Businesses. The aim is to promote and raise awareness about the wide range of work carried out by Trading Standards Services locally and highlighting the following priorities for London:

Day 1: Underage sales of knives, to help prevent people being killed through knife crime  
Day 2: Letting agencies, to stop private tenants being ripped off by rogue landlords  
Day 3: Scams and Doorstep Sales, to help protect the vulnerable from fraudsters  
Day 4: Support for Businesses, to help businesses to survive, thrive and grow  
Day 5: Product Safety, to help prevent people being killed by unsafe domestic goods

10. London Trading Standards have spokespersons available to deal with media requests.

**Contacts:**

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