

## **1) Introduction**

The National Residential Landlords Association ('NRLA') exists to represent and support private-residential landlords in England and Wales. The NRLA was formed in 2020 with the amalgamation of the National Landlords Association ('NLA') and the Residential Landlords Association ('RLA').

The NRLA Code of Practice ('CoP') is intended to raise and maintain standards in the private rented sector ('PRS'). It reinforces legal requirements and standards of best practice members of the NRLA are required to observe in connection with the letting and management of residential property.

Members of the NRLA ('members') are required to observe the CoP and agree to submit to any relevant investigation brought in relation to allegations of breach. The contents of the CoP form an integral part of the conditions of membership of the NRLA.

The CoP does not seek to encompass all members' legal obligations and it remains a member's responsibility to abide by relevant legal requirements. Should there be any inconsistency between the CoP and relevant legislation, legislation will take precedence.

This CoP may be amended as necessary by the Board of the NRLA. Members will be notified of any changes.

## **2) General Duties**

### **Compliance with Legal Obligations**

- Members shall make all reasonable efforts to remain familiar and comply with all relevant statutory and regulatory requirements and ensure that any staff and contractors are aware of any requirements relevant to their jobs.
- Where not specifically referenced by the CoP, relevant legislation shall be considered by implication and default as part of the CoP.

### **Honest Conduct**

- Members shall act in all business dealings, whether directly related to the letting or management of residential property or not, in an honest fashion.
- Members shall not knowingly mislead, misrepresent, or deceive members of the public.

### **Equal Treatment**

- Members will not discriminate in dealings with members of the public or any third party.
- No individuals shall be excluded from access to employment, accommodation, or other business dealings or receive less favourable treatment based on any protected characteristics as defined by the Equality Act 2010.

### **Assisting the NRLA**

- Members agree to take all reasonable steps to assist the NRLA in relation to any allegations of misconduct or breaches of the CoP.

### **3) Specific Duties**

#### **Marketing Property**

- All advertising and marketing material must be clear, legal and truthful.
- Advertising material must not aim to mislead, give a false impression or misdirect.
- Wherever possible, advertising materials should include reference to NRLA membership.

#### **Creating a Tenancy**

- Members shall provide tenants with a written statement of the terms of their occupancy.
- Where possible, terms should be provided far enough in advance of the proposed commencement of any occupancy to allow prospective tenants to seek relevant advice.
- Members will make reasonable efforts to assist prospective tenants with the understanding of their terms of occupancy.

#### **Maintaining a Tenancy**

- Members shall treat their tenants and any relevant third party with appropriate courtesy and respect.
- Members shall not, as far as is possible, share or disclose tenants' personal information except in accordance with the provisions of the General Data Protection Regulations ('GDPR').
- Members shall promptly acknowledge receipt of all communications received from their tenants or their representatives.
- Members shall provide relevant contact details for the management of emergencies.
- Members shall inform tenants of any change to ownership or management of their home without delay.
- Members shall attend to all matters of disrepair reported to them without unreasonable delay.
- Members will take all reasonable steps to ensure that residential property remains fit for human habitation for the duration of any tenancy.

#### **Ending a Tenancy**

- Members shall ensure that they, or their representatives, do not harass their tenant or undertake any action that would constitute illegal eviction of their tenant.
- When seeking to end a tenancy, the member shall ensure they, or their representatives, are following the correct legal procedure to bring the agreement to an end.
- Members shall not refuse to provide a tenant with a reference for the purposes of securing a new tenancy without good cause.

#### 4) Complaints

- The NRLA can accept complaints about its landlord members in relation to their lettings and management activities pursuant to private residential property.
- Complaints may relate to the breach of any section of the CoP and/or terms and conditions of NRLA membership.
- The NRLA is not a regulatory body and cannot order redress against its members or compel compliance. However, a member's refusal to comply with the NRLA's sanctions may lead to their exclusion from membership.
- The NRLA cannot accept complaints which
  - are being assessed or dealt with by another authority, such as a redress scheme, ombudsman, or Her Majesty's Courts and Tribunal Service (HMCTS).
  - have previously been adjudicated by a court or other relevant body.
  - are related to protected tenancy deposits. These must be referred to the relevant tenancy deposit protection scheme.
  - are currently the subject of a criminal investigation.
  - relate to a member's activity as a letting agent. Such complaints must be directed to the relevant authorised redress body.
- Complaints may be made by
  - members' tenants.
  - authorised representatives of members' tenants, where a letter or authorisation has been received by the NRLA.
  - representatives of relevant public bodies.
  - interested members of the public.
  - staff and officers of the NRLA, where a member's actions are alleged to bring the NRLA into disrepute.
- A complaint may usually only be accepted if it is made during a tenancy, or within three months of the tenancy being brought to an end, and within 12 months of the alleged breach of the CoP.
- All complaints should be made in writing.
- The NRLA will acknowledge receipt of all legitimate complaints within five business days.
- All complaints accepted as legitimate will be handled in accordance with the NRLA Complaints Procedure.
- If the allegations against a member are adjudicated to constitute a breach of the CoP, the NRLA may impose the following sanctions:
  - Informal warning
  - Formal warning
  - Remedial action
  - Audit of premises and/or processes
  - Improvement plan
  - Relevant training
  - Naming and shaming
  - Suspension of services
  - Exclusion from membership
- The CoP cannot and does not supersede the normal operation of law. A complainant retains the right throughout the complaints process to choose to take their complaint to law.

## Complaints Process: v1.0

