Landlord Registration – Opportunities and Risks

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Current position

- The first presentation offered an insight into the range of data that's currently held in the register. That information is largely based on the information that landlords are required to provide when they apply to be registered.

- Use of the data in the LRS is currently limited to collating numbers of live applications/registrations and properties attached to those applications/registrations. This data is not widely shared and is not in the public domain.

- There are caveats against the number of landlords and properties reported due to joint owners and unlinked registrations issues.

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Opportunities

Access to data

- Information is a valuable resource and we recognise that there are opportunities to make better use of the data held within the Register and to make some information more widely available.

- The first important option is to improve local authority capability to accurately report against landlord, agent and property information.

- Another option for increasing access to information could be to make a suitable 'research-ready' data set available for wider analytical use. For example, SG deposit anonymised data from the Scottish Household Survey on the UK Data Archive, for other researchers and analysts to access. But there could be other options as well.

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Potential

Collecting new data

- Landlord Registration is a legal requirement for the majority of private landlords and so it may seem reasonable to think that this is a suitable vehicle for collecting more information from private landlords.

- One suggestion has been to use the Register to collect information on rent charged by private landlords, to help inform research and policy development in the private rented sector.

- Another suggestion has been to use the Register to capture the Energy Performance rating of private rented sector properties, to help with implementation of climate change policy.

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Challenges

New data requirements

- The purpose, value and scope of any new requirements would need to be clearly defined. If we take the example of asking landlords how much rent they charge, what would the value of rent information on its own be? Would other information be required to help put the data in context, such as type of dwelling, number of bedrooms, quality of dwelling etc.

- There may be multiple stakeholder interests at play - how would conflicting interests and priorities be managed?

- How would system limitations affect the value and quality of data?

- What would the impacts be on landlords providing new information and on local authorities who may be asked to report on it?

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Challenges

Service design approach

- Identifying the problems that need solving will help to define the business case and scope of any new data requirements

- Taking a service design approach will give consideration to the most appropriate place to capture new information. Is the best solution to use the existing landlord registration service, or could there be a better fit somewhere else?

- This approach will help to find a cost effective solution and give a good user experience

Challenges

Legal constraints

- The Register was designed to meet the legal requirements of registration, first and foremost. Information that's currently collected is 'prescribed' in law and is relevant to the fit and proper person assessment of the applicant.

- Secondary legislation is needed to revise the prescribed information. Is there a justification for requiring information that isn't relevant to the fit and proper person test, e.g. rent information?

- Information could be requested on a voluntary basis. Would enough landlords willingly provide information to establish a robust enough evidence base. Would the development costs for this option be justifiable?

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Challenges

Ownership of Data

- Information in the Register belongs to the local authorities. Any process for collecting and sharing information needs to satisfy the General Data Protection Regulations.

- Suitable safeguards are required to ensure data is secure and anonymised where required.

- SG and RoS process information on behalf of the local authorities. As Data Controllers, local authorities will need to be involved in any proposals for expanding access to data in the Register.

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Challenges

Impact on IT development

- We have already highlighted the need to fully scope out any new information requirements. The Register is supported by a complex IT system and data structures - changes to capture additional information would require significant analysis and re-development costs across the whole system.

- A robust business case and new funding sources would be required to meet the costs of any system development to capture additional information.

- How would that work be prioritised against the current programme of important system enhancements for local authorities and other service users?

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A local authority view

Opportunities

- Accurate reporting against:
  - numbers of landlords and properties, range of portfolio sizes
  - Number of properties with an agent listed
  - Portfolio properties managed by any one agent
  - Number of late application fees applied and waived
  - Number of HMOs within the register
  - EPC ratings
- Standard system generated reports by date range or postcode area etc. to minimise manual any data collection and analysis

A local authority view

Challenges

- Concerns about accuracy of the data held within the Register:
  - Joint owner properties are currently counted more than once
  - Same property can be registered by different owners and isn't flagged to the local authority
  - Duplicate registrations
  - Landlords making new instead of renewal applications

- The priority should be to provide accurate core data relating to the original purpose of landlord registration before expanding data collection.

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In summary….

- There are some really good opportunities for increasing access to existing data from the register, subject to assurances on the quality of the data.

- Use of the Register to capture additional information is possible, but a number of legitimate challenges need to be considered.

- Developing the potential of the Register as a viable data source will require a robust business case, including proposals for funding to develop the IT system.

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Discussion