



## COUNCIL MEETING

19 September 2024

### **Enforcement and Penalty Policy** *In relation to the relevant letting agency legislation*

---

**Dale Owens, Chief Executive**

---

#### **EXECUTIVE SUMMARY**

1. To consider and recommend the approval by Council of a new proposed policy for the purpose of enabling services to issue financial penalties for breaches of legislation relating to letting agents and landlords.
2. Enforcement authorities are expected to develop and document their own policy on when to prosecute and when to issue a financial penalty. Decisions must be made in line with that policy. This policy is therefore essential in allowing effective enforcement action under the legislation. It is a significant addition to the range of tools at the Council's disposal as a means of achieving business compliance.
3. The proposed policy contains a process to determine the level of intervention that is appropriate (informal action, financial penalty or criminal investigation, depending on the severity of the non-compliance); and where a financial penalty is deemed appropriate, the level of penalty to impose.
4. It is proposed that the policy set out at Appendix 2 to this report is approved by Gateshead Council, and that it implements this policy to allow effective enforcement action to be taken. It would significantly enhance the enforcement provisions currently used in relation to non-compliance in the private rented sector.

#### **RECOMMENDATION**

It is recommended that Council:

- i. Approve the proposed policy set out at Appendix 2 and the use of it by appropriate services.