

Private Rented Sector

# LANDLORDS

NEWS

## Training for Private Landlords

Wigan Council runs the liveliest and best-attended Private Landlords Forum in the north west. These twice-yearly events provide an excellent opportunity for landlords to network with each other, find out what's going on in the residential sector and learn how to deal with common problems. But sometimes it comes in handy to take time out and get to grips with an issue in a more detailed way.

Our bespoke training sessions, focusing on the issues that landlords have told us are important to them, have been popular since they were introduced. Feedback from our rent arrears courses has been very complimentary, with all

participants saying they now feel more confident in dealing with non-paying tenants.

Our original sessions about the Housing Benefit system were taken up in high numbers and following the changes to the welfare benefits system, we are currently working with the Greater Manchester LHA Team (which is part-funded by Wigan Council) to design a new version of this course. This is aimed at equipping landlords to deal with the system as it is now and how it is changing. Course trainers are all fully qualified benefits assessors, who can explain how claims are treated and how the rules are applied.

The first session of this course is scheduled for Monday 23rd July, from 1.30pm to 4.30pm at Wigan Life Centre. Contact Helen Taylor on 01942 489208 or [h.taylor@wigan.gov.uk](mailto:h.taylor@wigan.gov.uk) to reserve a place. Course fees are £25.00 per person, including take-home materials.

We expect this course to be popular, so if you can't make this date, just let us know that you would like to be advised when future dates are scheduled.

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### Date for your diary

Wigan Council's Private Landlords Forum has become an essential fixture for landlords and managing agents who want to be well-informed about the borough's residential rented sector.

Our next Forum event will be held at Aspull Civic Hall from 5.00pm on Tuesday 11th September. In the past we've had to turn people away, as the Forum is so well-attended, so make sure to reserve your place in plenty of time!



If you are a contractor who would like to book a sponsored display stand at this event, please also contact Julie Marshall in the Housing Strategy Team.

Tel : 01942 489209  
Email: [j.marshall@wigan.gov.uk](mailto:j.marshall@wigan.gov.uk)

## Getting help with your tax return

The tax issues surrounding private lettings can be a headache, but the tax man doesn't just take your money - HMRC also provide a wide range of helpful advice covering everything from what forms to fill in, to how to stay on top of record-keeping. For example, did you know that you can deduct certain expenses and allowances from your rental income that will reduce your tax liability?

Allowable expenses include:

- Fees for lettings agents, accountants and solicitors
- Buildings and Contents insurance
- Interest on property loans
- Maintenance and repairs (but not improvements) to your properties

- Utility bills
- Ground rent and service charges
- Wear and tear
- Council Tax
- Paid-for services such as cleaning and gardening
- Direct costs of letting the property such as phone calls and advertising

What you can't offset are:

- Capital costs like furniture or buying the property itself
- Personal expenses that aren't to do with your business as a landlord
- Any loss on re-selling a property

Once you have deducted all your allowable expenses, you must pay income tax on your profit. This means you will have to complete a tax return to declare it – HMRC's self-assessment helpline is 0845 900 0444. You can offset losses on one property against profits on another – and if your total profit is less than £70,000 you only have to declare the totals.

Don't forget, you need to keep records of your rental income, allowable expenses and any capital costs for at least six years – so hold on to your rent books, bank statements, invoices and receipts, and make sure you can easily find them again. HMRC have a dedicated Business Education and Support Team to help people understand the rules – more information is available at [www.hmrc.gov.uk](http://www.hmrc.gov.uk) and [www.businesslink.gov.uk](http://www.businesslink.gov.uk)

## Building walls, building relationships

Vandalism and crime can be a problem for tenants and landlords alike. One particular landlord and his resident in Worsley Mesnes were having significant problems. The fence to the rear of the property was frequently being kicked down and used as a shortcut through the estate. This meant that the tenant had no privacy and their garden was becoming a dumping ground for rubbish and drugs paraphernalia. This was clearly unacceptable, especially with young children living at the property, but every time the

landlord paid for a new fence to be put up, it was immediately kicked down again. As well as being a problem for the tenant and landlord, it was also proving to be an eyesore for Council tenants living nearby.

In the meantime, the landlord had applied to Wigan Council's Housing Strategy Team to become accredited. The inspection process showed that his property and management standards were very good - the only obstacle was the problem of this fence and its effect on residents.

By taking a partnership approach, the Housing Strategy

Team found a joined-up solution to the problem. The first step was to contact both Wigan & Leigh Housing and the landlord. Both parties wanted to resolve the problem with a permanent solution and so they agreed to split the cost of having a sturdy wall built in place of the fence.

The new wall means that the tenants of the property in question have their privacy back and can safely use their garden; the landlord no longer needs to keep paying out for repairs and residents on the estate have a much better view! Working together at its most effective!



## Tackling homelessness in the 21st century

When a family or individual becomes homeless through no fault of their own, is eligible for public assistance and is considered to be in 'priority' need, then the Council may owe them a legal duty to find them a new home. Until recently, the only approved options were a Council or housing association tenancy, which sometimes means a long wait in temporary accommodation for something suitable to come up – and restricts people to those areas where social housing is available.

The Localism Act 2011 has now made it possible for Councils to 'discharge' their legal duties to former homeless families by securing them a tenancy in the private rented sector and the

government is currently in the process of clarifying what sort of accommodation should be considered suitable for this.

Families who have been homeless are usually looking for homes they can live in for the long-term, which is a benefit to landlords. The new rules require that an Assured Shorthold Tenancy of at least 12 months must be offered initially – but this can be renewed for as long as landlord and tenant are happy with the arrangement.

The property also has to meet minimum safety and condition standards, and before the family is placed, the Council would need to be confident that it meets the family's needs in terms of size, accessibility and location. Matching people and properties carefully is important

for successful tenancies and to avoid people appealing against offers of unsuitable properties.

Wigan Council would like to hear from landlords who are interested in offering tenancies to former homeless households. Being able to rehouse a family quickly, and maintain work, school and family networks helps make the whole process much less damaging for everyone involved, and makes best use of the Council's scarce housing resources.

Please get in touch on [privatelandlords@wigan.gov.uk](mailto:privatelandlords@wigan.gov.uk) if you would like to discuss this further.

## Sharing could be the solution for singles

Single people under 35 are subject to new Housing Benefit restrictions that came into force at the beginning of this year. The maximum Local Housing Allowance that they can now claim is the 'shared accommodation rate' – putting self-contained flats out of many people's reach.

Wigan Housing Solutions has therefore developed a new service to help single people find other to share a house with, and will be launching it over summer 2012.

The new service revolves around a custom-built website where clients can create a personal 'profile' about themselves and who they are looking to share with. The system matches them

up with compatible potential housemates, and Wigan Housing Solutions then arranges for them to meet each other at special workshops which also cover advice about what's involved in home-sharing and the pitfalls to be avoided. Ongoing support is also available to help people settle in to their new homes.

The first clients to be registered with the new service will be those who are already on Wigan Housing Solutions' books, with publicity and a wider roll-out planned for later in the year.

The development of the service has been funded through a successful bid to housing charity Crisis but it will really take off by landlords working

with Wigan Housing Solutions to provide two and three-bedroom properties which single people can share. Two or more people combining their Local Housing Allowance will easily cover the going rate for most local properties and Wigan Housing Solutions will provide their tried-and-tested support and advice services for both landlords and tenants to ensure the project is a success.

For more information, please contact Louise Atherton at Wigan Housing Solutions on 01942 879758 or [l.atherton@wiganhs.org](mailto:l.atherton@wiganhs.org)



This article is based on a workshop at the National Landlords' Association annual conference, held in Manchester on 9th November 2011. The presentation was given by Emma Bulmer from The Department of Energy and Climate Change.

## The future is GREENER

**There are 26 million homes in the UK, and between them they create 25% of our overall carbon emissions:**

- **56% on space heating**
- **26% on water heating**
- **15% on lights and appliances**
- **3% on cooking**

We spend more on heating our homes than they do in Sweden, even though their winters are colder than ours!

We need to get more energy efficient but we know that 70% of the homes we have today will still be in use in 2050; so although there are some great new developments, energy efficiency cannot be all about newbuild.

The Green Deal is designed to address energy efficiency in current housing. In a nutshell, it's a package of energy efficiency measures provided to the customer at no upfront cost. The installations costs are then paid back over the long term (e.g. 25 years) through a reduction in energy bills.

The government will offer a centralised advice service, but each application for improvements will require an individual in-home assessment. A new improved EPC will be introduced, although old ones can simply be upgraded by having an extra assessment. These assessments will be 'portable' – which means that tenants can shop around for the best provider.

The improvements themselves will be provided by private sector companies; and prices will be

set by the market; government will not interfere to set rates for assessments, installation or interest rates for repayments. Instead they expect providers to compete to offer the best deals and it is likely that some will offer free assessments as loss leaders. The only stipulation – the Golden Rule – is that the cost of installing the measures must not exceed the savings that will be achieved by them.

Providers will recoup the cost of installations by adding a surcharge to energy bills. Tenants therefore repay these costs over time, but the overall amount of their bill will still be lower than what they would have paid on an unimproved property because the measures will result in reduced energy use. Tenants will not be liable for any costs after they move out – the repayments roll on to the next tenant or occupier. Landlords will not be liable for any tenant default on payments.

Although tenants will be encouraged to apply for Green Deal measures, landlords may also pro-actively have them installed in their properties. They will need the tenants' consent or may make use of void periods when properties are empty.

All Green Deal installers must be accredited and there is an approved list of eligible energy efficiency measures, e.g. loft insulation.

There are some situations where the Green Deal will not be suitable:

- Hard to treat properties, e.g. solid wall construction. Landlords with older or quirky

properties may qualify for a full or partial 'ECO' subsidy to help with energy efficiency improvements

- Vulnerable and poor families whose income is very low, such that they may already be skimping on energy use and so cannot realise savings. Such tenants may qualify for free measures.

So Green Deal has several benefits for landlords: it costs nothing upfront, improves the quality of your properties for your tenants, and overcomes the 'split incentive' problem; where previously the landlords had to pay for any improvements to the property but it was the tenant who benefitted from lower bills. From 2016 tenants will have the right to ask for Green Deal improvements to their homes, and landlords will be obliged to allow this – you cannot serve a Section 21 notice to get rid of a tenant on the basis that they want improvements carried out.

In 2018, the government intends to introduce minimum energy efficiency requirements in all properties (most likely based around an 'E' score on an EPC) and this may mean that some properties need improvements to bring them up to standard. The Energy Act which contains the statutory framework for the Green Deal has already been passed and secondary legislation which covers the practical details will be put before parliament during 2012.

The Green Deal is just around the corner – find out more at [www.decc.gov.uk](http://www.decc.gov.uk).

# New protection for victims of domestic violence

## **The Crime and Security Act 2010 introduced a new power which the police can use to protect people who are at risk of domestic abuse.**

Shockingly, official statistics show that only about one in four reported incidents of domestic violence results in arrest of the perpetrator and less than 5% result in a conviction.

When this is put in context that the majority of incidents go unreported altogether and a victim may typically suffer 35 acts of abuse before they go to the police, it is clear that domestic violence remains a 'hidden crime' with criminal convictions representing just the tip of the iceberg.

Even when an arrest is made, it is all too common that, for lack of evidence or the victim being reluctant to press charges, the perpetrator may have to be released again within hours and they may return directly to the scene of the abuse. The new Domestic Violence Protection Notices (DVPNs) which the 2010 Act has introduced can be served on someone where the police think they are likely to be an on-going risk, without the need for the victim to agree.

They give 48 hours' protection against the perpetrator returning to the victim's home, during which time emergency accommodation can be offered and/or support services can work with the victim to decide the next steps. If necessary, an application can be made to court to have the Notice converted to an Order (DVPO) which will keep the perpetrator away for between 14 and 28 days. Breach of a DVPO carries a criminal sentence of up to 2 months in prison and/or a fine of up to £5000.

The new powers have been trialled in a few selected parts of the country for the last year and are now set to take effect in Wigan borough from 1st July 2012.



## **What does this mean for landlords?**

The police's new powers are important for the protection of victims, including children and Wigan Council will never condone any form of domestic abuse. As a landlord however, you may be unaware that your tenant could be a victim (or a perpetrator) of domestic violence until a Notice is served. It is possible that a Notice or an Order may temporarily exclude a tenant from their own home, while a victim who may have no legal tenure, remains in occupation. We can also expect that some people affected by the new powers may seek legal advice to challenge them.

Wigan Council is therefore seeking to recruit a Domestic Abuse Link Worker to provide advise and support to people affected by DVPNs and DVPOs and ensure that proper liaison takes place regarding the housing situation and legal rights of the parties involved. Contact details for this post will be circulated as soon as they are available.

# Help for people affected by Housing Benefit changes

## Changes to national Housing Benefit regulations will affect many Wigan borough residents who rent from a private landlord.

To help them, the AGMA Councils have joined forces to create a dedicated team who are available to offer in-depth help and support to tenants and landlords who may be affected by the changes which came into effect in January. Please phone 0845 120 2093 or visit [www.helpwithrent.org.uk](http://www.helpwithrent.org.uk) for details.

The team also has a Mobile Advice Bus which regularly visits Wigan and Leigh town centres. Since the team started work in January, more than 500 people in Greater Manchester have received help and advice from the team.

Pensioner Mrs Barlow from Worsley Mesnes contacted the team because she had a shortfall in her rent of £30 per week which was set to get even

higher due to changes in her Housing Benefit. She said "I've always worked but had some serious health problems a few years ago. I was struggling to pay all my expenses, including the rent, and thought that I should be getting more help but didn't know where to start. I didn't know which way I was turning and I got in a right state - I needed someone to put me on the right road."

The team discussed Mrs Barlow's circumstances with her in detail and discovered that since her cousin frequently stayed overnight to look after her, because of her medical issues, she might qualify for extra benefit.

Kelly Greenhalgh, the advisor who helped Mrs Barlow, said: "A lot of customers don't know about some aspects of claiming benefit and worry that if they ask for extra help there may be future implications. Once I had spoken to Mrs Barlow I knew

she needed the overnight carer and her Housing Benefit should reflect this."

Once the forms and documents were submitted to the local Housing Benefit office Mrs Barlow was awarded the two-bedroom rate of Local Housing Allowance. This increased her benefit by over £22 per week making her rent much more affordable. She even received an underpayment of over £400.

Mrs Barlow says: "Kelly helped me sort this out so quickly. She kept me informed every step of the way which stopped me from panicking. I feel in control of my money now and can stand on my own two feet. I can't believe the relief now you have taken this off my mind."

If you have queries about how the Housing Benefit changes may affect you, please get in touch with the team sooner rather than later.



Email: [admin@b-safegroup.co.uk](mailto:admin@b-safegroup.co.uk)

Web: [www.b-safegroup.co.uk](http://www.b-safegroup.co.uk)

Call: 0845 051 0616



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This article is based on a workshop at the National Landlords' Association annual conference, held in Manchester on 9th November 2011. The workshop was run by Bill Irvine, former Head of Benefits for South Lanarkshire Council (the largest in the UK) and a founding director of Housing Benefit Advocacy, an independent consultant to government and landlord clients: [www.hbadvice.co.uk](http://www.hbadvice.co.uk)

# Changing Times for Housing Benefits

The government's intention with its welfare reform programme is primarily to smooth transitions for people intermittently in and out of work and reduce the poverty trap that disincentivises people from working. From 2013 it is planned that all the following benefits will be replaced by Universal Credit for all claimants of working age.

- Job Seekers Allowance
- Employment Support Allowance
- Incapacity Benefit
- Income Support
- Child Tax Credits
- Working Tax Credit
- Council Tax Benefit
- Housing Benefit/Local Housing Allowance

For pensioners, the changes will come later and in phases as people gradually move on to a new Pension Credit system from 2014.

The implications of this overhaul will be far-reaching, and even an expert like Bill Irvine\* can only hazard a guess about some of them until we know more about the new system. We do know that the Rent Officer role will vanish, leaving us to wonder how the assessment of 'fair' rents can remain consistent across the country.

Currently the maximum rate for Local Housing Allowance that tenants can claim is set at the '30th percentile' of the local market. Universal Credit will

contain an 'element' towards housing costs but it has not been published how this will be calculated. Bill Irvine thinks it is likely that rates will be set at the prevailing LHA rates at the time, but we don't know how these will be updated over time.

The problem is that the national Housing Benefit bill is increasing. Even changes that were brought in to save money have ended up costing more, e.g. the introduction of LHA in 2008 cost £600 million more than the previous system. Universal Credit will therefore include caps on the total amount that can be paid to a household: £350 a week for single people, £500 for a couple with dependents, with sanctions of up to 40% if the claimant is deemed not to be making sufficient efforts to find work. [In the 2012 budget, the Chancellor also announced that any additional costs of bringing in Universal Credit would be capped at £2.5 billion nationally, so if it starts to go above this, further restrictions may be made to the amount claimants can actually receive.]

The housing element of Universal Credit will not be separated out – the whole payment will be paid to the claimant, not to their landlord. There is a possibility that the payable rates for the housing element may be reduced below the 30th percentile if overall national expenditure savings are not realised. The lower 'Shared Accommodation Rate' for single people under 35 came into effect on 1st January 2012 and

non-dependent deductions for claimants with adult children or lodgers also increased from April 2012. This has already led to extra demands on the Council's Discretionary Housing Payments scheme which are used to offset hardship for tenants who lose out the most from the changes. Under the UC system, Council Tax Benefit will be phased out altogether, although Councils will have discretion to set up a local assistance scheme and Wigan Council is already working on its own plans.

Most significantly of all however, the government proposes that all claims for Universal Credit will be made online, via a DWP website, with regional call centres providing helpline support. Since only 14% of benefit claims are currently made online, this represents a radical change of culture in the benefits system that many claimants may struggle with. Concerns have already been raised about possible security breaches and how claim information can be validated without any actual contact with the claimant. Bill Irvine's company does a lot of work advocating on behalf of tenants and landlords, and his experience has taught him that it can be a minefield negotiating around the confidentiality and data protection arrangements to get information for clients.

It will also be a huge undertaking to integrate and update the current IT systems for benefits and tax credits to cope with the new system. With such a tight timescale, there is potential for

Changing Times for Housing Benefits... continued

a lot to go wrong with designing the new system, training all the operators, and moving the necessary data onto it. Wigan Council has been chosen for one of the pilot projects to test how this works and we are aware that claimants, landlords and support agencies will want to be kept informed about how the new system progresses.

We do know that whenever Housing Benefit claims move onto the Universal Credit system, payments will be paid directly into claimants' own bank/credit union accounts calendar monthly in arrears. Past experience has taught us that landlords will therefore need to understand the issue of 'technical arrears' which are not the tenant's fault. The government has made assurances that there will be safeguarding measures for

particularly vulnerable tenants but we have not yet seen the final proposals for what these will be.

Overall, there are many issues which are not yet resolved and which landlords may be concerned about. It is likely that rent arrears will rise, particularly during the transition period when tenants and landlords alike are unfamiliar with the new system. This will mean more legal actions and more evictions, with the associated costs for landlords. Public confusion may lead to clients not claiming benefits that they are actually entitled to, and for a time landlords may have tenants on both the old and new regimes. Bill Irvine has expressed his concern to government that the DWP is not well-regarded as an efficient administrator of the current

system, which can only be made worse with a complicated new one, and that it does not bode well that a large number of DWP staff are currently being made redundant to cut costs.

Councils across the country are also concerned about the loss of local accountability, as Housing Benefit is taken out of their hands – and what it means to lose the ability to get Housing Benefit teams involved with other local work such as tackling homelessness and working with private landlords. It's an uncertain time for landlords, claimants and all who work in the housing sector, but Wigan Council will continue to share the latest news and advice with local landlords, and work on practical solutions to help make tenancies sustainable.

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## Everything you ever wanted to know about Landlord Insurance

As a landlord you'll know just how important it is to look after your investment, and that means finding the right insurance. While the big name aggregator websites dominate the marketplace for the majority of domestic insurance products, they are still way off the mark when it comes to landlord insurance.

**Why?** Because landlord insurance isn't a single product, but rather a collection of different 'insurances' which need to be carefully tailored to each landlord's individual needs. It's something that humans are much better at than computers, and with the help of the right broker such as Manchester based Quoteline Direct, you can create a competitive insurance package.

**Buildings Insurance:** Mortgage lenders insist on buildings insurance as a bare minimum to cover any costs involved in rebuilding your property if the worst happens and the sum insured should reflect the rebuild cost as set out in your buildings survey. As a landlord you owe a 'duty of care' to your tenants (and anyone visiting your property) which means that you are personally responsible for everything from falling slates to dodgy wiring. Landlords Liability Insurance is designed to safeguard landlords against claims of negligence relating to the property and is a standard benefit of Buildings Insurance. Expect provision of at least £2 million.

**Contents Insurance:** Landlords with fully-furnished properties might be wise to consider full Contents Insurance, which works in exactly the same way as standard Home Contents Insurance. Landlords may be surprised to learn that some (but by no means all) Buildings Insurance policies include 'free' Contents Insurance of up to £5,000 to cover household basics.

**Rent Guarantee Insurance:** The 'current' economic climate has been with us for as long as anyone can remember and unfortunately the financial forecast remains distinctly frosty. With unemployment figures climbing and the government capping benefits; the chances of tenants defaulting on rent have never been higher.

Rent Guarantee Insurance is designed to cover your bills if a tenant is unable to pay their rent. It provides a financial lifeline covering mortgage payments for a given period as well as legal expenses incurred in eviction. You can expect the following benefits for approximately £140 per annum:

- Inclusive legal expenses: up to £50,000 to cover eviction costs
- Generous rent protection: up to £2,500 per month for up to 12 months
- Access to legal helplines: 24/7 access to professional support
- Portability and flexibility: choose a policy that's tied to the property and not to the tenancy otherwise if tenants move out you could be out of pocket

**Loss of Rent Insurance:** A common source of confusion Loss of Rent Insurance which is designed to cover income lost if your property becomes uninhabitable and your tenants are forced to move out while another claim is being honoured (for example: after a flood or a fire) and it shouldn't be confused with Rent Guarantee Insurance.

While some unscrupulous providers advertise Loss of Rent Insurance as an extra it's actually a standard benefit of your Buildings Insurance. Expect up to 20% of the re-building cost of the insured property.

**Legal Expenses Insurance:** Purchased as a stand-alone product (or bundled-in with Rent Guarantee Insurance) Legal Expenses Insurance is designed to cover the costs incurred if a landlord has to take legal action, for example evict a tenant. As a landlord you face any number of potential legal hurdles from costs incurred in defending your reputation to disputes with tenants and suppliers. Expect provision of up to £100,000 per claim for £35 per annum.

**Home Emergency Insurance:** As a landlord you've got enough headaches without being dragged out of bed in the middle of the night to deal with a crisis with one of your properties. Home Emergency Insurance gives your tenants round-the-clock access to a telephone helpline and a network of qualified tradesman who will turn-up and fix the problem without charge. Expect to pay approximately £40.00

**Unoccupied Property Insurance:** Just because your property isn't occupied doesn't mean that it isn't an insurance risk. In fact an empty property may be more vulnerable to certain claims, such as: burglary, vandalism and storm damage. Most insurance providers regard a property as being 'unoccupied' if nobody has lived there for 30 consecutive days, whereby standard insurance becomes invalid.

### About the Article:

The above information is provided by the Home Insurance team at Quoteline Direct who currently guarantee to beat any landlord's renewal premiums by at least 10%. If you have any questions, or to see how much you could save Tel: 0800 081 3232 or visit [www.quotelinedirect.com/landlords](http://www.quotelinedirect.com/landlords)



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