

Brent Council sets legal landmark in slum landlord case

Brent has become the first Council in the country to use the Proceeds of Crime Act (POCA) against slum landlords for breaches of licensing conditions in a landmark case.

This morning His Honour Recorder Rubin QC at Harrow Crown Court ordered that POCA could be used to recover criminal assets that the Shah family obtained from cramming 31 tenants into filthy and dangerous living conditions.

Harsha Shah, daughter Chandni Shah and brother-in-law Sanjay Shah now face paying a confiscation order for financial benefit gained or saved as result of contraventions of the Management of HMO Regulations 2006 and breaches of licensing conditions that could amount to hundreds of thousands of pounds. This covers repairs that they neglected to fix and financial gain made from their racketeering.

On 5 January this year, Sanjay Shah lost his appeal against the charge of aiding and abetting the breaches of a term of the selective licence attached to the property in Napier Road, Wembley. He also lost his appeal against his conviction for contraventions of the Management of HMO Regulations 2006.

Jaydipkumar Valand, who collected around £112,000 rent from the tenants for the Shah family in 2015 to 2016, may also be ordered to repay any financial benefit gained under this POCA ruling.

Brent Council officers discovered one woman living in lean-to shack next to the four-bedroom property in Napier Road during a raid in July 2016. The shack had no lighting or heating and was made out of wood offcuts, pallets and tarpaulin.

Cllr Harbi Farah, Cabinet Member for Housing and Welfare Reform, said: "This is a landmark legal decision for our zero tolerance policy against rogue landlords. We will use all the powers we have to put an end to tenants living in misery, and this includes the Proceeds of Crime Act. We want to work with landlords and agents to improve the standard of living in the private rented sector, and we urge those responsible to licence their properties and comply with licensing conditions."

Edmund Robb, Counsel from Prospect Law who represented Brent in the hearing, said: "This judgment represents a landmark ruling from the Crown Court which allows local authorities to initiate confiscation proceedings under POCA 2002 for criminal offences linked to safety and amenity regulations. Rogue landlords cannot now hide behind previous case law to avoid being required by the courts to pay back rents and other benefits obtained whilst their tenants lived in squalid and dangerous conditions."

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Additional information

- See also press release 23 May 2017: [Rogue landlords of back garden shanty town shack found guilty](#)
- See also press release 27 July 2016: [Slumdog- style shanty town shack found in Wembley](#)