

Housing Standards in Private rented Properties

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- **Enforcement of Housing Standards**
 - **HMO Licensing**
 - **Empty Properties**

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Housing Standards – Private Rented

- **Housing Act 2004 – Housing Health and Safety Rating System (HHSRS)**
- **Other Associated legislation**
- **HMO Licensing Requirements**

HHSRS – Tenant Complaints

- **We always advise complainants to contact their landlords or agency to resolve the problem first.**
- **We inform complainants that we are required to give 24 hours notice to the owner of the property before we can inspect**
- **Where there is an allegation of an imminent risk to the health and safety of the tenant then we will visit without giving notice**

HHSRS – Principles

- **A dwelling should provide a safe and healthy environment for any occupant or visitor**
- **A dwelling should be free from unnecessary and avoidable hazards**
- **If hazards are identified they should be dealt with in a timely fashion.**

The Hazards

- **1.Damp and Mould**
- **2.Excess Cold**
- 3.Excess Heat
- 4.Asbestos and MMF
- 5.Biocides
- 6.Carbon monoxide and fuel combustion products
- 7.Lead
- 8.Radiation
- 9.Uncombusted Fuel gas
- 10.Volatile Organic Compounds
- **11.Crowding and Space**
- **12.Entry by Intruders**
- 13.Lighting
- 14.Noise
- 15.Domestic hygiene, Pests and Refuse
- **16.Food Safety**
- 17.Personal Hygiene, Sanitation and Drainage
- 18.Water Supply for domestic properties
- 19.Falls associated with baths etc...
- **20.Falls on the level**
- **21.Falls associated with stairs and steps**
- **22.Falls between levels**
- **23.Electrical hazards**
- **24.Fire**
- 25.Hot surfaces and materials
- 26.Collision or entrapment
- 27.Explosions
- 28.Position and Operability of amenities
- 29.Structural Collapse and Falling Elements

Common Hazards

- **Damp and Mould**
- **Excess Cold**
- **Crowding and Space**
- **Entry by Intruders**
- **Falls and Trips**
- **Electrical**
- **Fire Safety**

HHSRS - Excess cold - Heating

- **Inappropriate or inefficient systems**
- **Inadequate size for the dwelling**
- **Inadequately maintained or installed**
- **Inadequate or inappropriate controls for the system**
- **Cost of heating can be taken into account**

HHSRS – Excess Cold - Heating

Guidance suggests that a property should be able to achieve a temperature of 21°C when the outside temperature is below zero

Evidence suggests that temperature of 19°C and below can lead to excess deaths

There is a serious risk if temperature drops below 16°C

HHSRS – Excess Cold - Insulation

- **Insulation to the loft should at least be 270mm**
- **Single glazed windows best avoided**
- **Ventilation- remove excess draughts but kitchens and bathrooms need extractor fans**

HHSRS – Excess Cold

- **Need to consider and need to ensure the property has the correct combination of heating, insulation, ventilation to prevent excess cold and issues with condensation**

HHSRS – Damp and Mould

- **Damp and Mould can affect physical and mental health**
 - Rising Damp
 - Penetrating Damp
 - Condensation
- **Normally can be easily treated in the early stages**

HHSRS – Rising and Penetrating Damp

- **Damp proof course installed and in good condition**
- **Plumbing - properly installed and frost protected**
- **Bathroom leaks**
- **Guttering and Down pipes**

HHSRS - Condensation

- **Adequate Thermal Insulation and Space Heating**
- **Extractor fans in kitchen and Bathrooms**
- **Natural ventilation - air bricks, trickle vents, roof and under floor vents**
- **Drying facilities for clothes**

HHSRS - Electrical Hazards

- **This covers hazards from shocks and burns**
 - Dated installations
 - Inadequate number of power sockets
 - Damaged and exposed live wires

HHSRS – Electrical Hazards

- **Safety checks by a suitably qualified competent electrician for whole installation (5 years)**
- **Residual Current Devices**
- **Gas and water pipes earthed**
- **Adequate number of power sockets**
- **Bathrooms**

HHSRS – Fire Safety

- **Appropriate sited and number of smoke alarms**
- **Safe means of escape**
- **Fire resistant construction**
- **Sufficient electric sockets**
- **Correct installation of fixed appliances**
- **Fixed Heating system**

There are four categories

- **Baths and showers**
- **Falls on level**
- **Falls associated with stairs and steps**
- **Falls between levels**

HHSRS – Falls on stairs

- **Adequate lighting**
- **Guarding to stairs Landings and Balconies (1,100mm H)**
- **Minimum width (900mm W)**
- **Size of treads and Risers**
- **Handrails**
- **Reasonable space at top and bottom**
- **Headroom**

HHSRS – Falls on Level

- **Floorboards should be laid to an even finish**
- **Carpets and floor fittings should be in good repair and properly fitted**
- **Paths and yards in good condition**
- **Changes in levels should be clearly defined and well lit**
- **External lighting**

HHSRS – Falls Between Levels

Where window sills are lower than 1,100mm from the floor safety glass and/or guarding should be provided

HHSRS – Crowding and Space

- **There must be adequate number of bedrooms depending on**
 - Size of rooms
 - Relationship of occupants
- **Kitchen, living room and bathrooms should be adequate size**
- **Recreational Space**

HHSRS - Entry By Intruders

- **Rented accommodation in particular HMOs are a target for burglars**
- **The use of window locks, deadlocks, burglar alarms, security lights, spyholes and chains on entrance doors can improve security**
- **Excess security can hamper fire escape**

Enforcement Policy/Procedure

- **Initially we will make a visit to the property and assess for hazards**
- **Informal consultation with Landlord on remedial action**
- **Revisits are then undertaken to check compliance**
- **Formal enforcement where no cooperation, more serious hazards, previous non compliance. (A charge can be made for formal enforcement)**

Enforcement Options

- **Hazard Awareness Notice**
- **Improvement Notice**
- **Prohibition Order**
- **Emergency Remedial Action Notice**
- **Emergency Prohibition Order**
- **Demolition / Slum Clearance**
- **Prosecution /works in default**

HMO Licensing Requirements in Hounslow

- **Additional Licensing since June 2014**
- **Borough wide**
- **2 storey – 4 or more persons**
- **Conversions to self contained flat**
- **Selective Licensing**
- **New Mandatory Licensing**

Additional requirements for landlords

New tenancies on or after 1st October 2015

- A valid Energy Performance Certificate.
- A valid annual Gas Safety Certificate.
- A copy of the Department's "How to rent: the checklist for renting in England" guide.

If these documents have not been supplied, the landlord cannot serve a section 21 notice.

Additional Requirements for Landlords

- From 1 October 2015, landlords will also be required to install smoke alarms on every floor of their property, to test them at the start of every tenancy, and to install carbon monoxide alarms in high risk rooms

Additional Requirements for Landlords

Retaliatory eviction

where a tenant makes a legitimate complaint to their landlord about the condition of their property and, in response, instead of making the repair, their landlord serves them with an eviction notice.

The kind of complaints to which these rules apply concern a serious issue that might cause a potential risk of harm to health or safety. e.g. a leak in the property or a problem with the heating, especially in colder weather

Additional Requirements for Landlords

- Landlords have 14 days from the date of the tenant's complaint to make a response. Their response should set out what they intend to do to remedy the problem and include a reasonable timeframe for carrying out the works.
- If Housing Enforcement verifies the complaint and served an enforcement notice the landlord cannot evict the tenant for 6 months using the no-fault eviction procedure

