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<u>Name:</u>	<u>Alice Perrin</u>
<u>Student Number:</u>	<u>1927351</u>
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UNIVERSITY OF BIRMINGHAM

**Dissertation Title: Evaluating the Effectiveness of Legislative Tools for
Improving Poor Quality Housing Conditions in Birmingham's Private
Rented Sector, from the point of view of Environmental Health
Practitioners**

A dissertation submitted by

1927351

A candidate for the degree of Msc Environmental Health

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Abstract

There is currently a lack of research examining the role of Environmental Health Practitioners and the effectiveness of the legislative tools in place to combat poor quality housing, the minimal research which is available indicates that there may be a link between Housing Health and Safety Rating System, the current legislation, and the hesitation of some local authorities to take enforcement action, particularly in relation to the hazard of damp and mould growth. As such, this study aimed to evaluate the effectiveness of current legislation as a tool for improving housing quality in the PRS from the perspective of Environmental Health Practitioners working within Birmingham. The study employed a qualitative research design, utilised one-to-one semi-structured interviews with Environmental Health Practitioners working within housing enforcement in the Birmingham. A thematic analysis approach was employed to identify key themes and subthemes in the data. Findings suggest that the current legislative tools and set-up of the enforcement system are only ‘papering over the cracks’ of the issues within the sector, rather than creating long-term and significant improvements for affected tenants. The findings also offer further insight into the sheer complexity of the sector and the multifaceted nature of the challenges officers and local authorities face when attempting to improve the poor quality housing conditions that they encounter within Birmingham.

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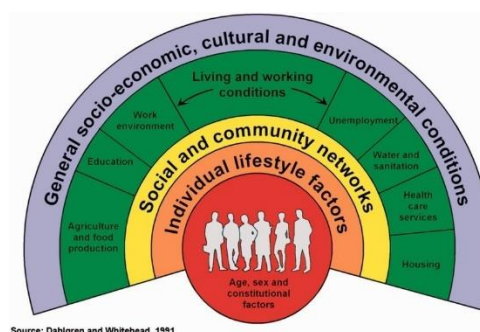
1. Literature Review

Once primarily the remit of those seeking flexibility in their lifestyles, the private rented sector (PRS) has since become the only viable source of housing for many (Shelter, 2023). It is estimated that there are approximately 4.4 million households in England and Wales currently residing within privately rented properties (Department for Levelling Up, Housing & Communities, 2022). This is following a growth within the PRS of approximately 28.8% between 2011 – 2021 in England and Wales, and a simultaneous decline in home ownership and available social housing stock (McKee et al, 2017; Barton, 2023). Unfortunately, the PRS has long been characterised by poor quality housing and housing insecurity amongst those residing within it (UK Parliament, 2022; Ministry of Housing, Communities, and Local Government, 2025a). In a recent Government review of the current state of the PRS, it was determined that it offers the most insecure and poor-quality housing out of all tenures and that major reform is required to address this (Department for Levelling Up, Housing & Communities, 2022). Given this and the growing prominence of the PRS, the importance of the quality of this housing stock and the potential scope of the impact of failures within them, have ever grown.

Housing is a basic foundation for many, a place where we spend a significant proportion of our time (Brooks et al, 2023). Maslow's (1954) hierarchy of needs suggests that for one to reach their full potential, they must first have their basic needs met in terms of physiological requirements and a feeling of safety and security. If one is living within poor quality housing, as statistics suggest that 21% of households within the PRS may be (Ministry of Housing, Communities, and Local Government, 2025a), then the model suggests that they will be limited in their ability to thrive in other areas of their lives. Dahlgren and Whitehead's (1991) model of the social determinants of health (see Figure 1), 'The Rainbow Model', is also congruent with this idea, similarly positing that one's health (physical and mental) is

influenced by a plethora of wider factors, including social and community networks, living conditions, working conditions, and general socio-economic, cultural, and environmental conditions. Later research also supports this model and the role of housing quality as a social determinant of health, demonstrating an association between housing quality and children's educational attainment, later achievements, emotional wellbeing, and health across the lifespan (Stewart & Lynch, 2018; Department for Levelling Up, Housing & Communities, 2022; Marmot et al, 2024). McKee, Soaita, and Hoolachan (2019) also similarly found that residing within insecure and poor-quality housing in the PRS significantly impacted individual's mental health and wellbeing. The significant effects of residing within poor-quality housing were epitomised by the tragic death of Awaab Ishak in 2020 as a result of mould inhalation caused by extensive damp within his home (Courts and Tribunal Judiciary, 2022). Following this, the spotlight within Government policy and research has been particularly on damp and mould growth within the home. In fact, it is estimated that approximately 1.6 million children in England live within privately rented properties that are affected by damp and mould growth (Citizens Advice, 2023).

Figure 1. Dahlgren and Whitehead's 1991 model of the social determinants of health.



Note. Figure sourced from Dahlgren and Whitehead (1991).

It is well established that living in dwellings with significant mould growth, particularly within the bedrooms, can negatively affect one's physical health, resulting in respiratory

conditions such as asthma (Tischer et al, 2011). Recent research has also found significant associations between visible damp within a child's bedroom and significant respiratory morbidity in children (Ruffles et al, 2024). However, emerging research has also highlighted the significant impact of damp and mould growth on one's mental health. A scoping review by Brooks et al (2023) found that even when controlling for potentially confounding variables such as socioeconomic status, employment status, and chronic illness, 76.5% of the 26 studies examined found that damp and mould growth continued to be a significant predictor of negative mental health outcomes. Though this research is purely correlational, the fact that the effect persisted and continued to be statistically significant in the majority of studies analysed, even when controlling for possible confounding variables, highlights the potentially significant impact of damp and mould growth on one's mental health. In congruence with Dahlgren and Whitehead's Model (1991) and Maslow's Hierarchy of Needs (1954), this may result in continued widespread effects throughout the life course.

Culminated, the research highlights the potentially negative outcomes on one's health (both physical and mental) that living within poor quality housing, particularly those affected by damp and mould growth, can have. These effects may be further exacerbated by the insecurity and feelings of powerlessness commonly experienced by those living within privately rented properties (McKee, Soaita, & Hoolachan, 2019). Given that 21% of households within the PRS are estimated to live in poor-quality housing (Ministry of Housing, Communities, and Local Government, 2025a) and 45% estimated to live in properties affected by damp and mould growth (Citizens Advice, 2024), the potential social and economic consequences of this may be significant. Though the potential costs of this to the economy are difficult to quantify, given the difficulty of separating the influence of housing-related health outcomes from other factors, Garret et al (2021) estimated that approximately £2.5 billion per annum is spent on housing related health-conditions.

McClatchey et al (2024) drew attention to the fact that such yearly costs are comparable to those for smoking related health-conditions (at ~£2.3-3.3 billion a year) and alcohol related health-conditions (at ~£3.2 billion a year); highlighting the importance and potentially far reaching consequences of the issue, which arguably those adults and children living within the PRS have less autonomy in changing (Marmot, 2024); particularly as research suggests that it is often the most disadvantaged groups who are disproportionately affected by damp and mould growth (Clarke et al, 2023).

It is of great concern therefore, that despite these findings, and a landlord's statutory duties under the Housing Act 2004 and related statutory provisions such as the Landlord and Tenant Act 1985, to maintain a safe and habitable dwelling, that the England Private Landlord Survey (Ministry of Housing, Communities & Local Government, 2024) found that only 62% of landlords reported fixing the issue when damp or mould was reported or found within the property; during this period it is estimated that approximately £9 billion in rent was collected by landlords letting poor quality housing (Mayor of London, 2023). Data from Shelter England (2021) also suggests that approximately 29% of private renters reported to be living in poor quality housing as they feared complaints would result in a retaliatory eviction. This is unfortunately a common trend, with tenants feeling disempowered to advocate for their rights due to the insecure nature of residing within the PRS (often characterised by short-term tenancies, high rents, and no-fault Section 21 evictions), leaving many feeling trapped and disempowered (Stewart & Lynch, 2018; McKee, Soaita, & Hoolachan, 2019). Though it is important to acknowledge that as previously mentioned, it is approximately 21% of households (or 1 in 5) within the PRS residing within poor-quality housing (Ministry of Housing, Communities, and Local Government, 2025a), reflecting the importance of not applying a blanket negative stereotype to all landlords (as can commonly be fallen into). However, this does not negate the significant and long-lasting impacts that residing within

these poor-quality properties can have on those 1 in 5 households. Moreover, it is unfortunately often those who are most vulnerable who are subject to these consequences (Marmot et al, 2024), and as such the importance of addressing this 21% should not be overlooked.

Legal repercussions are available for those landlords that allow their tenants to live in potentially unsafe conditions, as the local authority is able under Part 1 of the Housing Act 2004 to enforce upon these landlords to ensure the dwelling is safe to reside in and free from any significant hazards. This work often falls within the remit of Environmental Health Practitioners (EHPs), who utilise the Housing Health and Safety Rating System (HHSRS) to identify significant hazards within a dwelling. HHSRS is a risk-based rating system covering a total of 29 hazard, the system was introduced in 2006 and is largely based on data from the late 1990s (Ministry of Housing, Communities, & Local Government, 2006). The assessment involves evaluating the potential risk of harm that deficiencies within a dwelling may pose, and how likely it is to occur, taking into consideration the type and age of the dwelling; a calculation is then completed, producing either a Category 1 hazard (which local authorities have a duty to act upon) or a Category 2 hazard (which local authorities have the power to act upon). However, in a survey of EHPs by the Chartered Institute of Environmental Health (2019) they found that due to the nature of HHSRS and the data used to inform the hazard calculations, it was sometimes the case that hazards (such as damp and mould growth), that may have a significant impact on one's physical and mental health, scored too low in the rating system for EHPs to be able to effectively utilise their powers of enforcement to improve the conditions with the property. A prior survey by the CIEH (2017) indicated that this could be attributed to the lack of new research being incorporated into the rating system since 2004, potentially leading to the data that informs HHSRS underestimating the currently understood risk to health posed by some hazards. However, due to the use of Likert scales the

surveys are limited in their ability to offer further insight into why this may be the case and what the real-world implications for EHPs utilising this rating system with these downfalls may be.

A scoping review of HHSRS was completed by the Department for Levelling Up, Housing and Communities in 2023, which recommended several updates to simplify the current system, ensure consistency in assessments, and strengthen its use in enforcement, though no changes have been made thus far and the findings regarding the specific difficulties of enforcing for damp and mould growth were not echoed. Combined, these indicate that there may be an issue with the current legislative tools (HHSRS) used in this sector, however further research examining the role of EHPs and the effectiveness of the legislative tools they are given (e.g. HHSRS) to combat poor quality housing and those landlords which perpetuate the issue, is minimal.

However, there are some studies examining similar roles outside of England and Wales. One qualitative study investigating the role and experiences of 34 Public Health Inspectors in Canada (via semi-structured interviews) found that they sometimes felt unable to act when they perceived it necessary, due to the complexity of the legislative tools, and ambiguity in the legislation, leaving them feeling unsupported and lacking confidence in their ability to intervene (Lefebvre et al, 2012). Though the legislation in Canada and England differs, the surveys completed by the CIEH (2017; 2019) suggests that similar issues may plague the legislative system in England and impede EHP's ability to take action to effectively improve poor housing conditions, particularly in regard to damp and mould growth. Similarly, a report investigating factors that influence enforcement approaches (Harris et al, 2020), found that some local authorities preferred a 'light-touch' enforcement approach which was purportedly often driven by a lack of confidence in their ability to take enforcement action and concerns regarding potentially negative impacts of enforcement.

1.a. Research Gap

Therefore, although there is currently a lack of research examining the role of EHPs and the effectiveness of the legislative tools in place to combat poor quality housing, the minimal research which is available indicates that there may be a link between HHSRS, the current legislation, and the hesitation of some local authorities to take enforcement action, particularly in relation to the hazard of damp and mould growth. Furthermore, the research which is currently available (CIEH, 2017; 2019) is limited in its ability to offer further insight into the potentially complex reasons behind these associations and what the real-world implications for EHPs utilising HHSRS to improve property standards may be. Moreover, this research was completed 6-8 years ago, prior to the death of Awaab Ishak and the subsequently proposed changes to the legislation. As such, there is a necessity for further up-to-date research examining this area in greater depth.

Furthermore, understanding the potential barriers and challenges faced by EHPs in enforcing against damp and mould growth is of particular importance in the current climate where significant reform to the sector is underway. The Renters' Rights Bill, at the time of writing, is currently going through Parliament and is set to mark a monumental shift in the PRS when introduced, offering greater security for tenants and clearer responsibilities for landlords, and potentially introducing a new Decent Homes Standard for the PRS (Ministry of Housing, Communities & Local Government, 2025b). Within this bill, Awaab's Law will also be introduced, placing greater responsibilities on landlords to swiftly address damp and mould complaints within their properties, though exactly how this will materialise is yet to be determined (Ministry of Housing, Communities & Local Government, 2025b).

If we are to shift towards legislation that better supports and improves the quality of life of those residing within privately rented accommodation, and to avoid cases like Awaab Ishak's

in future, it is imperative that we also understand the current climate from the point of view of those tasked with enforcing upon those landlords who refrain from taking responsibility for the health and wellbeing of those who reside within their properties. As such, this study will aim to evaluate the effectiveness of current legislation as a tool for improving housing quality in the PRS from the perspective of EHPs, particularly in relation to the hazard of damp and mould growth. This study will focus solely on the experiences of those working within housing enforcement in Birmingham; being home to a highly diverse population of almost 3 million, of which an estimated 22.6% live within privately rented accommodation (Office of National Statistics, 2023), Birmingham should offer a valuable insight into the nature of housing enforcement within the UK. Moreover, with approximately 51% of children within Birmingham being estimated to live in the 10% most deprived areas (Birmingham City Council, 2019), the importance of understanding the issues within this area of the PRS in England is of great importance.

1.b. Research Questions, Aims, and Objectives

The following research questions will be explored:

1. Are the current legislative tools (HHSRS) effective for improving poor-quality housing conditions, particularly in relation to the hazard of damp and mould growth within privately rented dwellings?
2. What barriers and challenges are faced by Environmental Health Officers in addressing the growing issue of damp and mould growth, both currently and in light of the evolving regulatory landscape?

Aim: To evaluate the effectiveness of HHSRS as a tool for improving housing quality in the PRS from the perspective of EHPs, particularly in relation to the hazard of damp and mould growth.

The research objectives will therefore be as follows:

1. **A)** To understand the experiences of Environmental Health Officers with utilising HHSRS in capturing the hazard of damp and mould growth within privately rented dwellings.

B) To understand, from the perspective of Environmental Health Officers, the effectiveness of current enforcement actions available under the Housing Act 2004 for addressing damp and mould growth within privately rented dwellings.
2. **A)** To explore the existing barriers and challenges experienced by Environmental Health Officers when addressing the issue of damp and mould growth within privately rented dwellings.

B) To understand, in light of the evolving regulatory landscape in the private sector, how Environmental Health Officers perceive their role and predict future challenges they may face in addressing poor quality housing, particularly in relation to damp and mould growth.

2. Methodology

2.a. Research Design

A qualitative research design was deemed most appropriate to answer the research questions and aims posed. Qualitative inquiry allows for further exploration into the human experience, allowing us to elicit rich, detailed insight into the research topic area (Braun & Clarke, 2013). Such insight would not be possible if employing quantitative methods, which in this case would offer a more reductionist insight into the experiences of Environmental Health Officers working within housing enforcement in the Birmingham. Moreover, such methods were previously employed by the CIEH (2017, 2019) in their surveys of Environmental Health Officers regarding HHSRS. These were useful in highlighting a potential issue in this area and accessing a vast number of EHPs, however, to repeat such methods would likely offer little extra value to the research base. By employing qualitative research methods, we aimed to answer the ‘why’ behind the insights highlighted in those surveys.

As such, this study utilised one-to-one semi-structured interviews with Environmental Health Practitioners working within housing enforcement in the Birmingham. Focus groups were also considered as an alternative means of data collection, however, though they have their benefits, such as encouraging exchange of ideas and group discussion, the thoroughness/depth of data collection via focus groups can be sometimes be undermined by factors such as censorship and the influence of group members (Kidd & Parshall, 2000). As such, to address the research’s aim of exploring the individual experience, one-to-one interviews were deemed the most appropriate form of data collection to utilise.

When designing the study, some inspiration was taken from the research completed by Lefebvre et al (2012) exploring the experiences of Public Health Inspectors in Canada. Similar to Lefebvre et al (2012), photo prompts of commonly encountered (damp and mould

solely in this case) hazards within properties were shown during the interviews to elicit further, more detailed discussion by triggering the officer's experience, personal knowledge and thoughts (Zhang & Hennebry-Leung, 2023).

The photo prompts included photographs of condensational mould growth, penetrating damp, and rising damp (See Appendix 1); please see Figure 2 and Figure 3 below for reference. The age of the dwellings and location of hazards within the property accompanying each photograph were devised to reflect a range of scenarios participants may encounter and prompt varied discussion.

Figure 2. *Photo Prompt 1 utilised in the interviews, displaying a pre-1920s ground floor front living room.*



Figure 3. *Photo Prompt 3 utilised in the interviews, displaying a ground floor rear living room in a 1946-1979 dwelling.*



2.b. Sample

An opportunity sample of 9 Environmental Health Officers working within Birmingham were recruited; all participants were working within private housing enforcement at the time of the study.

2.c. Data Collection

Data was collected via 9 semi-structured interviews. The interviews were completed online via Microsoft Teams and recorded to aid later transcription.

An interview schedule was devised (see Appendix 2) following the recommendations of Bearman (2019) to increase the likelihood of eliciting rich and descriptive data from participants. Due to time constraints his recommendation of piloting the interview schedule was not formally actualised, however during the interview process (following the completion of the first few interviews) some adjustments to the interview schedule were made.

2.d. Data Analysis

A thematic analysis approach was utilised when analysing the data (Braun & Clarke, 2006). Braun and Clarke's (2013) framework for conducting thematic analysis was referred to and an experiential qualitative approach was utilised when analysing the data. The stages of analysis were as follows:

1. The interviews were transcribed.
2. Data-driven (semantic) and researcher-driven (latent) codes were then developed, used and revised when reviewing each interview transcript (see table 1).

3. Themes and patterns were identified in the data. As in line with Braun & Clarke (2013), it was ensured that the themes encapsulated a central organising concept.
4. Overarching themes and subthemes were developed.
5. The themes and dataset were reviewed, ensuring each theme could be clearly defined, had a clear focus and scope.
6. Final analysis and discussion

The computer programme Nvivo was utilised to facilitate the data analysis.

Table 1. *An example of the thematic analysis process utilised.*

Interview Extract	Code	Code Description	Theme	Subtheme
<i>“I think the HHSRS is a very complicated system. I think it over complicates for enforcement and for landlords and for obviously probably tenants to understand” – Participant 44</i>	HHSRS is overcomplicated	The notion that HHSRS can be overcomplicated for officers to use and tenants/landlords to understand	Use of HHSRS in Practice	Complexity and Accuracy

2.e. Ethical Considerations

All participants were provided with an information sheet (see Appendix 3) and required to return a signed consent form (see Appendix 4) prior to the interview. To maintain anonymity,

all participants were allocated a number (between 1 and 100) by a random number generator which was then assigned to their dataset. Moreover, all interview transcripts were redacted during the transcription stage to ensure no personally identifiable information was present. Maintaining the anonymity of participants and ensuring that no personally identifiable information about themselves or their cases (in the event that examples are provided) was imperative given the sensitive and confidential nature of their work.

All data was stored within an encrypted device which was only accessible by the researchers.

2.f. Researcher Considerations

As highlighted by Gaddefors and Cunningham (2024) it is important within qualitative research that the researcher acknowledges their own role in the research process. Such reflection is imperative as despite attempts to reduce bias, the qualitative analysis approach is undoubtedly subjective, and one cannot entirely separate their own history, values and presumptions from their analysis and interpretation of the data (Braun & Clarke, 2013). Consequentially, it is important to mention that I, the researcher, was working within housing enforcement in the Birmingham whilst conducting the study. My prior knowledge of and familiarity with the sector would undoubtedly have affected the way in which I interpreted the data. Moreover, my professional relationships with many of the participants would have affected the interview process, however arguably in a positive way in that rapport and familiarity was already present, potentially allowing for greater elicitation of honest, rich and more detailed answers from participants and avoiding one of the commonly acknowledged challenges when conducting online interviews of building rapport (Heiselberg & Stepinska, 2022).

3. Results

5 themes and 13 subthemes were developed from the data (see Table 2). The 5 main themes were ‘Complexity of Damp and Mould Growth’, ‘Deteriorating Housing Stock and Underinvestment’, ‘Use of HHSRS in Practice’, ‘Difficulties in Addressing Poor Standards and Non-Compliance’, and ‘New Reforms and Recent Amendments to the Sector’. See Appendix 5 for a comprehensive breakdown of the themes, subthemes, and codes.

Table 2. Identified Themes and Subthemes				
The Complexity of Damp and Mould Growth	Deteriorating Housing Stock and Underinvestment	Use of HHSRS in Practice	Difficulties in Addressing Poor Standards and Non-Compliance	New Reforms and Recent Amendments to the Sector
Complexity in establishing and addressing the cause	Aging housing stock and lack of landlord investment	Complexity and accuracy	Juggling the landlord and tenant motivations and relations	Concerns about the practicalities of the new reforms
The role of the tenant	Lack of Government investment over decades	Officer experience and subjectivity	Lack of minimum standards	Increasing awareness and a step in the right direction
		Resource intensive	Enforcement tools and improving properties	
			The expected role of the Landlord	

The participants had a range of approximately 1 to 22 years’ experience working within housing enforcement in the private rented sector.

3.a. The Complexity of Damp and Mould Growth

Complexity in establishing and addressing the cause.

The complexity of establishing the cause of damp and mould was mentioned in 8/9 interviews, particularly in cases involving potential condensational mould growth.

*“It’s a bit bit tricky in terms of I feel like **I feel like sometimes I’m letting tenants down because I can’t prove if the property has got insulation or not.** Say I’m sometimes I’m a bit like I don’t know what’s causing your your mould, and there’s, you know, **if there’s no no obvious structural or deficiency then it’s really difficult.**” - Participant 8*

The comments highlight the multifaceted nature of establishing the causes of damp and mould growth, that as mentioned by one participant, even damp specialists are unable to converge on.

*“And we are seeing a lot of, even damp experts that we do come across when landlords hire, you know damp specialists and **you can get three different damp specialists come in to identify the same problem and have different reports saying different things.** So it’s, it kind of shows in a way that no one really understands umm, kind of the one size fits all solution, and I guess you would never have, because every property is different.” – Participant 31*

The difficulty of subsequently translating this into a rating under HHSRS was mentioned in several of the interviews.

*“Obviously if there’s a broken gutter that’s quite easy to pick up on, um you know, leaks you can quite easily see that there’s a leak in the property... but in terms of like insulation, I find insulation is really really tricky because you know, **how can I prove that there’s no wall insulation?** HHSRS asks, you know, asks you to take insulation into consideration, **but I can’t prove that a property doesn’t have insulation just because a tenant’s got mould in the property.**” – Participant 8*

*“Because like as we know with damp and mould, it does need to be really bad before you’re even getting a category one like it does need to be in bedrooms and.. I mean you are nearly scoring it at 1 in 1 or 1 in 3 **you have to be almost certain it will cause harm before you can even get it up to a high Cat 2 or a Cat 1. Which then does make it very hard to enforce**” – Participant 49*

Though even between participants, when responding to the photo prompts, there was disagreement on whether such conditions within a property could be addressed under HHSRS or not.

*[in reference to photo prompt 3] “Again, you know, I guess my answer would be exactly the same as the first one [photo prompt 1] **is that HHSRS will always struggle** to and until until they completely update the figures with new stats, so I don’t think it’ll happen anytime soon. **I don’t think HHSRS will ever properly, you know, help people with a damp and mould, with a damp and mould problem with their property, which is quite sad.**” – Participant 23*

*“I think it’s good to an extent, it does have a lot of scope to amend things in terms of [pauses] **so if you see sort of mould you can score it pretty high** if you’ve got all the other information*

*you require, like the heating bills and you've assessed the extractor fans and stuff, so **for certain hazards I would say its good***" – Participant 13

When considering this theme, it is important to note that each participant, when asked, mentioned damp and mould growth as the most common hazard that they encounter during inspections.

*"I'd probably say **damp and mould is one of the key key ones**. I think excess cold, sometimes as well, but damp and mould is pretty much, **I would say is on every single sort of inspection really**"* – Participant 44

The role of the tenant

The role of the tenant and their lifestyle factors being intertwined with damp and mould growth within the property was mentioned in 8/9 interviews.

*"I think there's **very few properties where you actually do go, this is completely a building defect issue and a landlord responsibility**. So even when you do find that, there's probably still a contributory exacerbation of those condensation, mould and condensation growth that the tenant has exacerbated"* – Participant 44

Some participants noted the impact on tenant behaviour and subsequent increases in damp and mould growth as a result of the increasing cost of amenities such as gas and electricity.

"I think you know damp and mould comes out quite a lot and a lot of that is.. is probably getting worse and that's not because of the property conditions necessarily as such, but it's

because people are struggling to afford heating costs and things like that. So they're not using the heating as much and then you know the way they're living is exacerbating a damp and mould situation." – Participant 12

4/9 participants mentioned that it was a barrier that HHSRS does not acknowledge tenant lifestyle factors when scoring damp and mould growth.

"It [HHSRS] doesn't talk about, you know the relationship between the tenants and the property as well... you know how they should be living in the property, how they should be utilising the facilities and the property, how they should be utilising the facilities and the property, how they should under be understanding on you know that you've got a mould issue here and here, here's how to tackle it etcetera, you don't have all that info" –

Participant 31

Lack of tenant knowledge and education about damp and mould was also commonly cited around this theme, with one anecdote highlighting that this was a particular challenge (trying to encourage behavioural change with tenants) when trying to improve property conditions and safeguard tenant health and wellbeing.

"So obviously when when I have conversations and sometimes almost to the verge of quite strong.. almost arguments really that people are still.. even with very detailed advice, guidance, the the lack of acceptance that there.. they can make any changes that would influence it is quite sort of surprising really that [pauses] and especially probably now with Awaab's Law that they've almost been confirmed that its not them" – Participant 44

Around this theme, some participants echoed concerns about the potential impact of the rhetoric around the upcoming Awaab's Law in removing the accountability of the tenant for damp and mould growth within the property.

*“Recent events Awaab's Law, you know, and obviously that that's sort of obviously that's a tragic event and what has come and... probably **saying that the tenant isn't part of it you know** and can't be talked about lifestyle.. **I think that's a wrong message** because I think from everything I've always seen, **how you live in a property is fundamental.**” – Participant*

44

3.b. Deteriorating Housing Stock and Underinvestment

Aging housing stock and lack of landlord investment

When asked to describe the current state of the private rented sector within Birmingham, participants predominantly responded that the general quality of housing is poor and the system is not functioning as it should.

*“**I think it's broken** if I'm honest.. The the rents that are being charged now, so the ability it's just a it's just a vicious cycle where you know landlords are hiking up the rent **for very poor poor level of standard of housing** that then becomes unaffordable for tenants” – Participant*

23

*“**20 years ago there was probably a lot more compliance..** there were issues, I'd say they were probably minor disrepair and different bits, and there was the odd ones, but they were probably more unusual to find a property that needed a prohibition order.. it was one of a rarity **whereas now I think you could probably go to nearly every single property and consider a prohibition order**” – Participant 44*

The age of the housing stock was commonly mentioned as a contributing factor in 5/9 interviews.

*“I think it’s partly with it being a lot of old properties in Birmingham, so they do generally have more issues. **Definitely a lot of damp and mould in properties, partly due to it being older properties**” – Participant 49*

The lack of action and responsibility taken by some landlords in maintaining these aging properties was also mentioned as a contributing factor for the poor housing quality within Birmingham, particularly in respect of damp and mould growth.

*“The **standards are really poor**.. you have a lot of landlords out there who don’t take care of their private rented properties.. I mean I’ve been to properties where the tenants must have had the same kitchen for 30 years.. they get the tenants into the property and they literally, **the landlords, a lot of landlords don’t do anything to that property for many many years**” – Participant 8*

*“But if it is damp and mould, sometimes they don’t want to be doing a lot of work to the property, so sometimes they will want to do a cheap fix and they’ll want to **paint over an issue and hide the issue rather than fixing the problem**.” – Participant 49*

Lack of Government investment over decades

A common theme that emerged when discussing the state of the sector and challenges faced was the lack of government investment in the private rented sector over the last 2 decades.

*“Lots of the PRS properties that we were dealing with disrepair were the ones that had been brought up under right to buy.. and they’re not brought up to decent homes throughout the programmes in the noughties that looked at regeneration.. So you know from a regeneration point of view and everything else, you know, **PRS is the the forgotten sector if you like**” –*

Participant 12

It is important to mention that participants opinions on the trajectory of the sector differed; there was a disparity in views of the sector based on participants experience. Those who joined in the early 2000s predominantly had a poorer outlook of the state of the private rented sector, commonly implying that it has gone downhill since then due to factors such as the withdrawal of government funding and investment in regeneration works and proactive interventions.

*“In my sort of experience of obviously **over 20 years plus there’s a there’s a massive deterioration...** unless there’s any intervention and an external intervention that will continue to deteriorate.. So and that’s where I think we’re now probably **paying the price of a lack of investment and proactive intervention that local authorities used to do 20 years ago..**” –*

Participant 44

*“**Large scale regeneration programmes absolutely stopped lock, stock and barrel in 2010** when the Conservatives came into power and literally trashed the comprehensive spending review to a point we thought we were going to get a 30% cut in funding for regeneration projects. So you know, we’d be doing neighbourhood renewal assessments and enveloping*

schemes and things like that. And then all of a sudden it stopped completely, 100% cut and and it's not really ever regained since so that's that's why we've got the issues that we've got" – Participant 12

However, those who joined in the last 10 years predominantly reported a more positive outlook of the private rented sector, often referring to the recent introduction of supplementary legislation (e.g. The Electrical Safety Standards in the Private Rented Sector Regulations 2020) and reporting improvements in property standards since they joined (in 4/9 interviews).

"Yeah I think over the last 10 years things have improved in terms of you know.. for instance you've had stuff that's come in like all the EICR requirements we've got, like the MEES requirements, EPC requirements, you have the smoke alarms and carbon monoxide regulations and the requirements that you know.. so a lot of houses have been improved in that in that respect" – Participant 5

3.c. Use of HHSRS in Practice

Complexity and Accuracy

When discussing the rating system, 7/9 participants referred to it as being overcomplicated and requiring simplification.

[Speaking in reference to HHSRS] "You know legislation should be what's it concise, transparent and understandable and enforceable.. um you know and and it the only thing it is is enforceable, you know it's not concise, its not its not clear. It's not certainly not transparent to anybody you know.. Even I struggle sometimes sitting there thinking you

know, I've been doing this 20+ years, I'm sitting there thinking well, you know, can I walk away from it? Well, that's not really how it, it's not really how it should be" – Participant 23

*"So if somebody goes into a property and looks around and you can see electrical fittings broken and hanging down and whatever, you know, it's dangerous.. **you don't need to do a complicated hazard awareness score and and start moving things around to get to an outcome.. you know its bad, you know its dangerous, get it done**" – Participant 12*

It was also mentioned that the complexity of the rating system sometimes created a barrier of understanding between the authority, landlords, and tenants.

*"I think when you've studied HHSRS as an EHO or housing inspector, we kind of understand how the system works. But sometimes for a landlord, when you're writing that up in a schedule, I don't think they understand exactly what number one, what HHSRS is, what category one and two hazards is and how severe it is, **and I think it's it's not simple enough for an ordinary person to understand..** Sometimes the landlord is sort of confused as to why this is classed as this and you sometimes **spend more time over explaining HHSRS than actually telling them what's wrong.**" – Participant 13*

*"I think the HHSRS is a very complicated system. **I think it over complicates for enforcement and for landlords and for obviously probably tenants to understand**" – Participant 44*

A recurrent theme, mentioned in 8/9 interviews was the data behind HHSRS being out of date and requiring updating.

*“Yet we have this overly complicated equation to work out. Based and and equally I mean, you know it’s based on figures that are, what, 20 years old now? What was it 1999? Nineteen 91. Some of the figures I mean, I just find it baffling, baffling, that that somebody's not come along and said, **I can't believe that you're basing, you know, statistics and and a calculation based on 20 year old data.** It's just baffling to me. So yeah, that's **one of the parts I really don't like about housing is the HHSRS**” – Participant 23*

*“But **one thing I find it that some of the data is outdated**, so it would be helpful for us officers if we have more up-to-date information and not figures from 2004 sort of very outdated” – Participant 13*

Though within the HHSRS operating guidance it states that you can consider new knowledge and research to inform judgements, there was a mixed response from officers on whether this is practicable

*“It’s difficult.. I guess you're going to have to make sure you look at the **credibility of the of the research** that's being undertaken, you know, and and it's difficult because I guess **case law would be the the main, the main sort of precedent** for that, wouldn't it? And and looking at previous case laws to see what's because it's it's difficult taking research because you're almost going against some some data now, so you know **what's the difference between the data then between the data now**, I know a lot of research has been done, but it's about to, you know, **do we have the time and resources?**” – Participant 23*

When asked, there was a mixed response as to whether they believed it accurately reflected the property conditions. However, overwhelmingly it was expressed that it was not always accurate for damp and mould.

*[speaking in regard to damp and mould growth] “It’s a very defect focus and again I know it’s based on the health in terms of those stats, but in terms of scoring wise I feel **like it doesn’t really capture the whole picture**” – Participant 31*

“Trying to score properties actually for that, how serious you see on sites, the real life to actually transpire into that is quite difficult” – Participant 44

One anecdote was particularly poignant, highlighting that sometimes it can be difficult for officers to score a hazard highly even when it is obvious that there is imminent danger to the occupants should they remain in the dwelling.

*“They’d got an emergency situation where they basically, the the boiler had been replaced by somebody who wasn’t qualified, no flu on it, pumping carbon monoxide out into the property, all of them had got rushed into hospital because of this, you know it’d been going this alarm had been going on for days.. when you rate carbon monoxide, so **you’d probably be thinking you, that must be a category one hazard quite easily, people have literally just on the cusp, probably a day or so within I’d probably say death.. And that I think that shocked me, it was quite difficult to get that into a category one to even consider an emergency prohibition order** or something like that, which obviously you’ve got to have a category one.. and that just shows how wrong the system is that for something that you know that these people are in hospital now, they’ve just all nearly died.. **you’re trying to almost find the the rating doesn’t quite match up, but in real life it’s sort of death**” – Participant 44*

Officer Experience and Subjectivity

The subjective nature of HHSRS scoring was mentioned in 8/9 interviews.

*“I don’t like the fact that it is so subjective and that that **three officers can go into the same property and look at it, come out with three different scores**, but come out with more or less the same outcome.. It just kind of fries my brain really in terms of the logic” – Participant 12*

*“And I think sometimes there can be **inconsistencies with officers because it’s so varied and because it’s officer’s discretion.. one officer can have a different opinion to another officer but it’s the same hazard, so that might not necessarily accurately describe the hazard**”–*

Participant 13

A commonly cited factor in differing scores between officers was the difference in experience and exposure to poor quality housing conditions.

“And so you could have, you know, a newly qualified EHO who hasn’t been exposed to a lot of, you know, the poor, poorer properties and then seeing, seeing an issue and because obviously from their experience thinking ‘Oh my God, that’s really bad’ and so from their opinion, they can justify saying we’re going to increase it by three, three or four increments, and saying that some of these are very high in cat 1s, well more a experienced officer they can know the average etcetera and know their their score will differ, you’ll be slightly lower, so it’s accurate in that sense, it’s very much the officer’s judgement and how they perceive things. So that’s a little long winded way of saying not too accurate, but so far it’s doable,

yeah” – Participant 31

This subjectivity and lack of consistency in HHSRS scoring was also mentioned as an issue between local authorities.

*“That’s another problem as well, **one authority might be a little bit more enforcement driven to another one, may accept a lower level** you know and landlords have properties in you know each area as well.. you know big portfolios and we’ve had problems with that over the years and inconsistencies there.. **and if you can get inconsistencies from the current legislation and HHSRS, well it shows its slightly flawed**” – Participant 44*

However, the ability to flexibly apply HHSRS scoring to different properties and adjust the likelihood and spread of harms outcomes were mentioned as positive attributes of the rating system in 3/9 interviews.

*“I mean you do have to form your own opinion and that’s what HHSRS does allow you to do... there is a bit of **flexibility there where an officer can you know, manipulate, raise likeilhoods and harm outcomes on on a case by case.. so I can see why it was brought in and why it works in certain circumstances**” – Participant 44*

Resource Intensive

In 4/9 interviews, the resource intensive nature of HHSRS was mentioned as a challenge/barrier.

*“Then it’s all the the reading and the background and whatever who could be expected.. I mean *** got his guidance out yesterday, if you remember, **who could be expected to to look at that and keep flicking through all the time when you’ve got decisions to make and you’ve got a huge caseload like our officers have.. they don’t want to be spending hours***

researching something just to be sure and triple sure they know what they know” –

Participant 12

*“I do think they’re **very labour intensive actually to use the whole process**, you know the HHSRS, the administration of all the notices and everything like that, you’re not going to be doing that on the mass that we have to work to.. And that **is the limiting factor of most local authorities**” – Participant 44*

It was often compared to other areas of Environmental Health, such as Food and Health and Safety, and the assessments they are required to complete.

“So I feel like HHSRS and and the whole process that we have to, the hoops we have to go through are just so excessive compared to other you know, you know how there is in health and safety, and food” – Participant 23

3.d. Difficulties in Addressing Poor Standards and Non-Compliance

Juggling the Landlord and Tenant Motivations and Relations

A challenge mentioned in 4/9 interviews with addressing disrepair within properties was the complexity of landlord and tenant relationships, with participants often citing that if there was a breakdown in that relationship, then some landlords would refuse to complete the works.

*“Given that some landlords might be **very reluctant to to repair a property if they don’t like the tenants that are in there or they’ve got a personal vendetta with the tenants** or they you know, that doesn’t help the situation” – Participant 13*

Another complicating factor that participants reported encountering when trying to improve property conditions, was the refusal for the landlord or the tenant to take responsibility for the disrepair within the properties, often blaming the opposing party.

*“Landlords, they’re not **automatically, a lot of responses are they blame it on the tenant’s lifestyle** and say that they’re not properly maintaining the property.. they’ll say its down to the tenants responsibility to sort it out.. so yeah **there’s a lot of blame culture in from the from the landlord..** and you know before even taking the first step of investigating properly, that that’s **always their first response**” – Participant 31*

*“And I think there’s sometimes it’s first of all, it’s being a privately rented property, **although it’s their home they see it as not their property..** and that that disconnect of how they maintain or look after it.. I think some of those elements of maintenance looking after are, there’s the idea that **all the problems in the property are the landlords problem ...** and [in regard to damp and mould growth] they attribute all of that to the landlord and they don’t touch it, **so they don’t do any means to obviously intervene to mitigate it, even though its affecting their health..** and that’s **one of the biggest barriers**” – Participant 44*

In 6/9 interviews, participants highlighted the change in the behaviour and motivations of some of the landlords within the sector, often taking less responsibility for property conditions and viewing the sector as a ‘money-making scheme’.

*“Landlords are **definitely less willing to do the work.. the type of landlords we have has changed over the years,** we used to see a lot of what they used to call pension landlords, people who just bought the odd one or two properties as their pension investment.. and we saw very little things like build to rent landlords and things like that back sort of 15-20 years ago” – Participant 12*

“The landlord compliance definitely seems to be absolutely at a lowest level.. and even with intervention there’s probably very little compliance as well with that” – Participant 44

*“A lot of landlords they’ve kind of **taken a very back seat in in terms of what’s involved** and don’t even try and get involved as well. And it’s a very, **I guess a big money-making scheme** as well” – Participant 31*

Though it is important to note that some participants did acknowledge that their perception of the landlord population was biased.

*“But then it’s a bit difficult isn’t it because we get a tainted because its like a police officer isn’t it? You know, **you only ever see the bad side of it..** you know we never see the good side so **I’m sure there are a plethora of good landlords out there but we don’t ever come across them** because that’s, you know, we’re enforcement” – Participant 23*

A common theme and barrier mentioned in all 9 interviews was the changing motivations of tenants in recent years.

*“Yeah the tenants have changed and the attitudes from the landlord has changed, there’s a lot more [pauses] the the tenants are, they know how to play a game and I know you know what I mean by that.. **there’s a definite strategicness to the tenants now** by, you know, by not paying their rent by you know causing damage, not helping themselves.. **there’s a definite ethos of, of put a hand out and you’ll pave it with a Council house**” – Participant 23*

*“**Biggest barriers, to be honest, tenants sometimes don’t really want our help**, they don’t really want the property improved for whatever reason, so that’s a challenge.. sometimes*

*they've got an ulterior motive.. **they just want to go into like temporary accommodation so ultimately they can get a council house***” – Participant 8

*“Because a lot of tenants obviously see **environmental health as a ticket to get Council housing** which has become the goal”* – Participant 12

Lack of Clear Minimum Standards

A common theme mentioned in 6/9 interviews was the lack of clear minimum standards in HHSRS for officers to follow when stipulating works to address disrepair within properties.

*“But minimum statutory standards of you must have XY and Z avoids all of that subjective and at least all properties should be of a certain standard then.. Everybody knows what you need then, isn't it? Yeah but I'm not, they're not obviously applicable for everything, but it's a good starting point and I think that's what we're missing.. **we're missing the starting points which is why we've got very poor levels of properties out there**”* – Participant 44

This officer discretion for stipulating works was mentioned as a challenge, particularly around the ambiguity as to what is reasonable to request.

*“And its been I guess a limitation or where **we can't just tell a landlord of saying this is a legal requirement**, it's black and white is what you need to do.. **it's more explaining the reasons why we are asking for these works and that's usually been very time consuming**, especially if there's nothing like its written in the legislation for them to refer to”* –

Participant 31

*“And then there's no minimum levels of. So really there are there are building regulations, but the parameters for us what's **what's removing the defects and what's improvements of the property becomes a very grey area, especially at a tribunal**” – Participant 44*

Participants also reported that the lack of clear minimum standards within HHSRS sometimes led to officers requesting the minimum required to reduce the hazard, often leading to the hazard recurring within a short period of time.

*“Yeah well that's that's the problem, like so there is **no minimum standards.. you know so it can be open to challenge you know, if the landlord or the tribunal thinks there's an alternative way to deal with the issue or another way that's cheaper that will deal with the issue to reduce it a little bit, maybe not remove the hazard but reduce the hazard they might take that approach**” – Participant 5*

*“Officers want to improve properties but **I think they're feeling unsupported in that improvement, how far can they go and how far will they be supported at a tribunal? So you've got real experienced and you know qualified officers who know what would be best for that property and the tenants, but they're not being able to specify it because they fear it won't, it's too, too much above the minimum standard**” – Participant 44*

Around this subtheme, some participants also mentioned the difficulty that this ambiguity of minimum requirements created for landlords to comply.

“And I think landlords would understand what they need to do because they work on the minimum they need.. they don't, most landlords don't want to be proactive because it costs

money, they're running this as a business, so if there is no minimum it's hard to work out the minimum.. then they're going to probably be quite far off" – Participant 44

It was also noted that this subjectivity sometimes prevented officers from requesting works as they feared it may be challenged in a tribunal or court.

[In regard to Photo Prompt 4] "And then you can get, you know with this section, inherent design defects isn't it? So again the landlord hasn't caused this but its susceptible to it.. And what's reasonable to prevent it.. make sure the heating, the ventilation is adequate, and a fungicide paint will inhibit the mould growth.. is that sufficient of should it be, should the insulation be increased? And even if you ask for it, would you take it all the way to an improvement notice and a tribunal, are you satisfied that you've got enough evidence that this is reasonable.. and I think that that fear for officers is probably what prevents a lot of action on damp and mould because of the lack of information about, you know, what is reasonable to ask a landlord to do?" – Participant 44

Enforcement Tools and Improving Properties

In 4/9 interviews, participants reported that the current enforcement tools under the Housing Act 2004 are sufficient for improving properties.

"I don't think there's anything that's particularly missing. I mean, you know it, it yeah. I mean, if if you just, I mean not talking about the the problems that we have, you know local authorities getting those things done. But as as a set of enforcement actions, no, I think yeah, an improvement notice, prohibition order, EPO I think they are sufficient" – Participant 23

In 5/9 interviews, participants noted the difficulty in improving properties with improvement notices and emergency prohibition orders, often mentioning the lengthy enforcement procedures and landlord non-compliance.

*“A case I’m currently working on has to do with damp and mould. So this is actually where the tenants sleeps, this is their bedroom, this damp and mould, and **I’ve been dealing with this case for a year...** I’ve been going through all the informal process, Section 239, and now an improvement notice that hasn’t been complied with.. **So I feel like and the thing is this tenant has been living in these conditions for this period of time that we’ve taken to do all this, nothing has changed for them**” – Participant 42*

“It’s not the most effective system if you get a landlord who’s just completely disregarding what they need to do” – Participant 31

In relation to this, in 3/9 interviews the lack of any consequences for not proactively maintaining property conditions was mentioned as a factor in aggravating poor housing conditions.

*“Whereas the whole setup is like it pays not to probably do the work, and then we’ll come out and even if we do serve a notice, **if you comply with a notice the whole thing goes away.. even that sort of isn’t really a deterrent is it?** Especially when if you’ve got a large portfolio” – Participant 31*

*“I think Birmingham coming to Birmingham was obviously, there was very probably little sort of fear of what we would do and I think that word is pretty much out.. **even if you get found, then they just tell you and provide a schedule of what to do and the consequences are probably very limited..** So I think that’s been a real there’s **there’s very little fear of enforcement**” – Participant 44*

The unexpected negative outcomes as a result of enforcement were also commonly cited.

*“So it's a lot of kind of unspoken arrangement **that if you don't complain then we can give you a cheaper rent, but then you are living in these conditions.** So whenever we do intervene there's always a knock on effect that **the landlords will just increase the rents** and afterwards and it's seen this is still seen as reasonable because it's still below the market value, so it's not that we can put a stop to it, but obviously **we cause an issue of the tenants themselves and they've got no other no viable options**” – Participant 31*

*“So are they successful Emergency Prohibition Orders? Not not very successful because you're just making families, **I feel like you're making people homeless** and like one of my families, they were in temporary accommodation before and then I've come along and they had this real serious drainage problem with faecal matter going into the kitchen and stuff.. So I had to prohibit that property and they've gone into temporary accommodation again.. and you know they're just left in limbo, moving around from place to place [pauses] **so although we are removing people from the hazards, we're also creating other problems as well, so you know more social problems**” – Participant 8*

The lack of improvement on a larger scale from the current enforcement actions was mentioned in 4/9 interviews.

*“If we've got a landlord who has not done any repairs, treated his tenants badly, we go in and inspect, we deal with it, we finally make him do the work, he does it to the bare minimum, doesn't spend a penny more than he absolutely has to, and we think we've got a result.. **we***

have for that tenant until it falls apart again which it will because he's not investing.. but what have we don't for the other 15 tenants that he's got?" – Participant 12

"I would probably say our current setup is we're not, we're not taking properties forward or we are just bringing them up to these low levels, minimum statutory standards and it's very difficult to take them past it" – Participant 44

"I think its that sometimes we're not really fixing the big picture in a way we are kind of just churning complaints that come through, you fix the problem here and then potentially 3 years later then we'll be back to square one" – Participant 31

The Expected Role of the Landlord

In several of the interviews, a common theme was the lack of education of the landlord population in relation to their responsibilities. Some mentioned that there was a common expectation that the Local Authority was responsible for advising and teaching the landlord, with this perception being upheld and supported by the tribunal and court system.

"Surely, you know, in this day and age, if the landlords are good enough to rent out a property they should know how to get it fixed.. but we're, I feel like we mollicoddle them a lot and I feel like the courts have justified that by when they do challenge our improvement notices, they say you haven't given enough um you know u-values for your damp and mould, you haven't given enough stipulation as to what it is you want for them, you know, or how they, how they can achieve compliance. And I'm thinking well [pause], you know, you almost take away that that that self-regulation that, that, that has to be part of enforcement that you know, you have to give people the benefit of the doubt that they'll just get on with it and there's a risk, sort it out sort of thing" – Participant 23

“Property tribunal decisions and listening to my colleagues and things, it does seem that um the tribunal will sometimes sort of find excuses for the landlord.. I mean there’s even cases where sometimes a landlord has appealed for a certain reason and the tribunal are trying to find other reasons that’s why the Council shouldn’t have, you know, issued the notice, which is wrong really” – Participant 8

A common comparison was to Food Business Operators, that Landlords should be held to the same standard.

*“They don't accept what's expected. I think especially with the registration as well, where the landlords need to get registered that will kind of be a great. In a second sense, **saying that look similar to like a food business operator you know if you want to run a premises you will need to carry out some sort of level of training in order to do so.** If it gets something, then the potential you are looking into so that **everyone is aware in terms of what's required in the property rather than having to be us to give that advice,** but obviously we can, but there will be a certain level of understanding and we can then reasonably place that **higher level of responsibility** to especially your managing agents” – Participant 31*

3.e. New Reforms and Recent Amendments to the Sector

Concerns about the practicalities of the new reforms

In all 9 interviews, apprehension about the upcoming reforms to the sector (Renters Reforms Bill, Awaab’s Law, Decent Homes Standard) was mentioned. Concerns particularly involved how the new legislation would be integrated with the current systems.

*“But again, will that will that it won't ever defunct the HHSRS. **So I think you can't have you can't have two standards for a house**, either have one or another or combine the two. And you know you can't, the two won't ever marry together. So you either need to defunct one and go with that one. **But again, you know what collaborations have people done with people on the shop floor**, like you and me about, you know what are **the issues you're coming across and and how to encapsulate that into a decent homes fit for purpose model** what which which you can which you can properly use” – Participant 23*

Concerns about the practicalities of enforcing the new reforms with limited funding and resources was also a common theme.

*“I mean, even now when we're talking about Renters Rights, about 100 councils apparently have said, well, we're not doing anything anyway, **we haven't got the resources, we can't do it so we're not doing it**” – Participant 12*

*“The only thing as an officer I'm worried about is **whether we have enough members of staff to actually carry out what's expected of us**. So if you come across a damp and mould hazard, can it really be addressed within that time frame? I'm not sure. We might have an influx of more complaints, but whether they can be dealt with in an appropriate time scale **I'm I'm a little bit worried about due to lack of sort of resources and staffing and lack budgets as well equipment of officers**” – Participant 13*

Increasing Awareness and a Step in the Right Direction

Despite this, in 8/9 interviews, participants did echo the benefits of these new reforms and the increased awareness and attention they are bringing to the Private Rented Sector.

*“Now is the probably **the only time in a long, probably years that there's actually anything happening.** There hasn't really been any real changes, I mean, we've got the renters rights bill, you've got, you know, they're bringing in Awaab's. There's a lot that it's probably the most interesting time probably for the last probably 20 odd since HHSRS that there's been this level of attention of legislation coming in and awareness really. So it is a that's a positive” – Participant 44*

“This landlord register will be an absolute godsend. I've been barking on about this literally for years and years and years. So thank God that's coming in” – Participant 23

4. Discussion

The aim of this study was to evaluate the effectiveness of the current legislation as a tool for improving housing quality in the private rented sector (PRS) from the perspective of Environmental Health Practitioners, particularly in relation to the hazard of damp and mould growth. As was highlighted in a recent government review of the PRS (Department for Levelling up, Housing & Communities, 2022), the results of the study similarly indicate that significant reform is required to effectively address the deteriorating housing conditions within the sector. Participants unanimously echoed such sentiments, suggesting that the legislative system is not currently functioning optimally to address the poor housing conditions seen within the PRS in Birmingham. In particular, the statements of the participants indicated that the current legislative tools and set-up of the enforcement system are only ‘papering over the cracks’ of the issues within the sector, rather than creating long-term and significant improvements for the affected properties and tenants; this notion was particularly echoed in relation to properties affected by damp and mould growth. Participants also offered further insight into the sheer complexity of the sector and the multifaceted nature of the challenges officers and local authorities face when attempting to improve the poor housing conditions that they encounter within Birmingham, ultimately suggesting that the current legislation and HHSRS may not be effective in addressing these issues in their current form.

4.a. Are the current legislative tools (HHSRS) effective for improving poor-quality housing conditions, particularly in relation to the hazard of damp and mould growth within privately rented dwellings?

As was found in the surveys completed by the CIEH (2019) when reviewing HHSRS, participants similarly reported that in practice, when utilising HHSRS they sometimes found

that the score they achieved for some hazards, particularly damp and mould growth, did not always accurately reflect the severity of the property conditions. A particular barrier in this as reported by participants was that to achieve a high enough score (a category 1 or high category 2 hazard) to take enforcement action in properties, they were required to be ‘almost certain’ (at a likelihood of 1 in 3 or 1 in 1) that the property conditions would cause harm in the next 12 months, however due to the complex nature of establishing the cause of damp and mould (particularly condensational where factors such as insulation have to be considered), participants reported that they sometimes struggled to do so. The survey completed by the CIEH (2017) suggested that this misalignment in scores may be attributed to the lack of new research and data being incorporated into the rating system since its inception in 2006. Such sentiments were also echoed by participants, often attributing issues with the scoring to the ‘out-dated’ statistics informing the calculation of the ratings. However, it may be argued that HHSRS pre-emptively accounted for such issues by stipulating in Chapter 1 of the operating guidance (Ministry of Housing, Communities, & Local Government, 2006) that users of the rating system should remain up-to-date with research and other evidence that may be used to inform judgements when adjusting likelihood and/or spread of harm outcomes. However, when asked, participants reported that the incorporation of new knowledge and research, particularly following Awaab Ishak’s death and the new findings regarding the health impacts of damp and mould growth, was not often actualised in practice, citing concerns regarding challenge in courts and tribunals, the lack of precedent in case law for such instances, and particularly the lack of government-backed guidance and research for officers to refer to. The time and resource intensive nature of obtaining strong, empirical research to support ratings was also cited as a limiting and complicating factor given the high caseload, already resource intensive nature of HHSRS and lack of resources/funding that participants reported. These factors cited as preventing officers from incorporating new data were also acknowledged by

Battersby and Ezratty (2025) who stated that government-backed research and guidance regarding the updated knowledge as to the health effects of damp and mould growth were lacking. As such, arguably the lack of new data impedes the accuracy of the scoring in some cases, particularly with complex hazard such as damp and mould growth as reported by participants, and subsequently the enforcement actions that can be taken by officers.

The lack of consistency in HHSRS assessments which was highlighted in the scoping review of HHSRS by the Department for Levelling Up, Housing and Communities (2023) was similarly mentioned by participants, who cited the lack of consistency between officers and between local authorities when utilising HHSRS as a limitation of the rating system. Whilst some participants acknowledged the benefit of the flexibility that HHSRS offers in allowing users to tailor ratings to the property characteristics and conditions, the subjective nature of the scoring that this entails was criticised as introducing too much complexity into the assessment of properties and leaving decisions open to challenge, as ultimately ratings can be attributed to an officer's opinions and experience which can be called into question (in such a way that similar legislation such as the Management of Houses in Multiple Occupation Regulations 2006 may not be so susceptible to). This lack of consistency, the subjective nature of HHSRS, and the complexity in rating and addressing damp and mould growth was exemplified in the photo prompt section of the interviews, with an almost even divide between participants who stated that hazards such as those portrayed in photo prompt 1 and photo prompt 4 (See Appendix 1) could be addressed and those who believed that it could not be addressed under HHSRS. This is particularly poignant considering that all participants reported damp and mould to be the most common hazard they encountered during inspections, demonstrating the complexity and subjectivity in rating for damp and mould growth under HHSRS.

The lack of minimum standards in HHSRS and the guidance for stipulating remedial works once a category 1 or high category 2 hazard had been identified within a property was also a common subtheme that was highlighted by participants as a challenge when improving properties, particularly for damp and mould growth where the causes can be multifaceted (Ministry of Housing, Communities & Local Government, 2024b). The lack of minimum standards again introduces the subjectivity of the officer's opinion and experience when stipulating remedial works and similar to the HHSRS scoring, participants reported, that this can leave the requested works open to challenge. Particularly, participant statements indicated that they often felt reluctant to request works which may improve the property for the longer term, instead requesting the bare minimum to reduce the hazard in the immediate term (e.g. requesting the provision of insulation and effective heating vs simply treating and painting over mould growth). Anecdotes from participants indicated that such decisions were also influenced by a concern regarding challenge at a tribunal or court should the requested works be deemed to go beyond that necessary to simply reduce the hazard in the short-term.

Overall, the findings highlight similar issues as was reported by Lefebvre et al (2012), that officers sometimes felt unable to act when they perceived it necessary, due to the complexity of the legislative tools and ambiguity in the legislation subsequently influencing their confidence in their ability to intervene. The knock-on effects of this, as suggested by participant statements, is that the often short-term nature of the fixes implemented lead property conditions to subsequently deteriorate over time, leading to a large number of repeat complaints and a deterioration of the property fabric and housing conditions for tenants over time.

As such, the findings, in conjunction with the existing body of research, indicate that in its current form HHSRS is not particularly effective at addressing and improving the poor-quality housing conditions, particularly in relation to the hazard of damp and mould growth.

4.b. What barriers and challenges are faced by Environmental Health Practitioners in addressing the growing issue of damp and mould growth, both currently and in light of the evolving regulatory landscape?

The effectiveness of the enforcement routes in improving properties was commonly raised as a challenge by participants in addressing poor quality housing conditions. Whilst the set of actions themselves may be sufficient as stated by some participants, others reported that the length of time taken to carry out enforcement actions (with the informal approach, appeal periods, etc), particularly if the landlord is non-compliant, impeded their ability to ultimately improve property conditions, as tenants may be left in properties where they are exposed to harmful conditions for years whilst proceedings are enacted (as shared by some participant anecdotes). Another common challenge regarding the use of enforcement actions was the sometimes-negative consequences that these may pose for tenants, for example the displacement of families into potentially poorer standards and more unstable housing tenures were cited by some participants when utilising emergency prohibition orders to remove tenants from the property. In these examples, participants reported that they often felt they were simply exacerbating social issues by making families homeless and creating empty properties rather than improving them. Such cases perhaps highlight wider failings within the system that the appropriate backstop is not in place for officers to feel confident to remove tenants from potentially harmful situations without having wider negative social implications. Such apprehension in taking enforcement action due to the potential negative impacts were also highlighted by a report by Harris et al (2020). Furthermore, participants also reported that their intervention in properties may have further negative repercussions for tenants such as rent increases, eviction, and a breakdown of the tenant/landlord relationship; such was also highlighted in previous literature as a barrier for tenants in reporting disrepair (McKee, Soaita & Hoolachan, 2019; Shelter England, 2021).

The role of the landlord was also a key subtheme highlighted by participants. This premise of a lack of accountability and responsibility taken by some landlords was a common contributory factor highlighted by participants in the poor housing standards within the PRS in Birmingham; this notion coincides with the findings of the English Private Landlord Survey (Ministry of Housing, Communities & Local Government, 2024) that only 62% of landlords reported fixing the issue when damp or mould was reported or found within the property. It was implied in some statements by participants that the current legislative system is not set up to encourage landlords to proactively maintain property conditions and remain up to date with their legal responsibilities, as upon initial intervention from the local authority, should the bare minimum be undertaken to reduce the hazards, no further consequences are had for allowing the property conditions to deteriorate and compromising the health and wellbeing of tenants. However, the impending introduction of the Landlord database under the Renters Reforms Bill (Ministry of Housing, Communities & Local Government, 2025b) was highlighted by many participants as an important step forward to encourage proactive compliance and maintenance of properties by landlords. Though it may be argued, as previously discussed, if officers struggle to converge on the minimum standards for a property with the lack of clear guidelines offered by HHSRS or associated legislation, how realistic and accessible is this for landlords to abide by and maintain these reportedly unclear standards, particularly in regard to complex issues such as damp and mould growth where tenant lifestyle factors (Shelter England, 2023b) and use of facilities provided can also exacerbate the hazard. As such, it is important that clearer standards and updated guidelines for landlords are provided following the introduction of new reforms, as was also echoed by the Department for Levelling Up, Housing and Communities (2023) in their review of HHSRS.

The role of the tenant and a lack of knowledge and awareness regarding damp and mould growth was also highlighted as a common challenge when addressing the growing issue of damp and mould growth. Participant statements highlighted the importance of tenant lifestyle factors when establishing the cause of damp and mould, as though it may not be the ultimate underlying issue, how one lives within a property can exacerbate underlying defects (Shelter England, 2023b). Statements from participants highlighted that this lack of tenant awareness in how their actions may be exacerbating mould growth, could often lead the hazard to reoccurring following formal intervention from the local authority and the installation of preventative measures by the landlord. In this regard, some participants warned of the harmful rhetoric around Awaab's Law (Ministry of Housing, Communities & Local Government, 2025b) that removed all responsibility away from the tenant and placed it entirely on the landlord, stating that this set a worrying precedent. Such findings suggest that as well as addressing the downfalls within HHSRS and legislation itself, in order to effectively tackle the growing issue of damp and mould growth, that increasing the awareness and education of tenants as to how damp and mould growth may be exacerbated by their behaviours may also be an important factor for future government guidance to include. This is particularly important in the current climate where the increasing cost of amenities may lead some to increase behaviours, such as not heating and ventilating the property, that may exacerbate damp and mould growth (Shelter England, 2023b).

As well as the reported change in landlord attitudes and motivations towards a greater stance of non-compliance over the years as reported by some participants, the changing attitudes and motivations of the tenants was also highlighted. An important issue and barrier raised by all participants was the tenant motivations; it was reported that an increasing number would prevent or block interventions by officers and landlords to improve the conditions of the property. Participants often hypothesised that such behaviour was motivated by a desire to

obtain a council house as a result of enforcement action, creating challenges for both the officer and the landlords. Such issues however may be indicative of wider societal issues, such as the cost of living and the lack of investment and regulation over the decades of the PRS, resulting in it offering one of the most poor-quality and expensive housing tenures (Department for Levelling Up, Housing & Communities, 2022). As such, the prevalence of this issue as highlighted by participants, reiterates the importance of the upcoming reforms to introduce greater oversight and regulation of the sector.

This importance and requirement for the upcoming reforms was also highlighted by participants, particularly the awareness that they are bringing to the issues within the PRS. However, it is important to note the reservations shared particularly regarding the practicalities of enforcing the new legislation in the wake of years of government cuts to funding. Participants reported that without the appropriate government support and investment, local authorities may be too overwhelmed to effectively implement the new reforms.

4.c. Conclusion

In sum, the findings suggest that the legislation and HHSRS, in their current form, may not be effective in addressing the growing issue of damp and mould growth within the PRS in Birmingham when put into practice. Approximately 1.6 million children are estimated to live within privately rented properties that are affected by damp and mould growth (Citizens Advice, 2023), the scale of this issue is further exemplified by the findings that damp and mould growth is the most common hazard that EHPs in Birmingham encounter. As such, having effective measures in place to address damp and mould growth is imperative, to

ensure that these issues do not have wider negative affects along the lifecourse (Maslow, 1954; Marmot 2024).

Overall, the findings highlight the great complexity that Environmental Health Practitioners within Birmingham are faced with when striving to improve the poor-quality housing conditions within the PRS that they encounter; balancing the relationship between the tenant and landlords, dealing with both the motivations and changing attitudes of both parties, with the ultimate aim of safeguarding health and improving properties, whilst also dealing with the financial and political pressures that affect all local authorities. However, in this complex area of Environmental Health, the findings suggest that having a complex tool for assessing properties does not further EHPs ability to intervene, but rather complicates issues in cases, especially for an already complex issue such as damp and mould growth. As reiterated by many during the interviews, what is perhaps needed is a simpler system or a comprehensive update to the existing one with clear guidelines and examples that are easy for landlords, tenants, courts, tribunals, and practitioners to utilise. Though in light of the upcoming reforms (Ministry of Housing, Communities & Local Government, 2025b), such changes do not seem to be coming into effect, despite the acknowledgement of these issues by the Department for Levelling Up, Housing and Communities (2023). As poignantly noted by one participant, legislation should be clear, concise and enforceable, with the implications of not having this potentially impacting those tenants who are in the most vulnerable situations, who require assistance the most.

4.d. Limitations

The primary limitation of the study was the inability to establish inter-rater reliability for the codes, sub themes and themes that were identified, as is recommended by (Maguire &

Delahunt, 2017) in their comprehensive guidance for conducting thematic analysis. A secondary researcher in this case would have introduced a quality assurance that the coding and themes were successfully identifying and summarising the data, especially given the complex nature of the issues discussed in interviews. Furthermore, though there is an inherently subjective nature within the findings of from thematic analysis based on the history and presumptions of the researcher (Braun & Clarke, 2013), having a secondary researcher may have ameliorated some of this inherent subjectivity, by introducing a secondary party to confirm or question identified codes and themes.

As all participants worked within Birmingham, the ability to generalise the findings to the wider PRS within England and Wales may be limited. However, given the highly diverse nature of the population of Birmingham, the high number of households residing within the PRS (Office of National Statistics, 2023) and the high levels of deprivation (Birmingham City Council, 2019), arguably the findings may highlight the compounded issues faced within the PRS, which may be applicable to other local authorities within cities such as London, Manchester, and Liverpool.

4.e. Recommendations for Future Research

- To get a more holistic view of the sector, it is important that future research also includes participants from the landlord and tenant population, particularly to offer insight into whether the issues perceived on their behalf by the EHPs are accurate and to further inform future government guidelines and policy.
- Interview EHPs from local authorities outside of major metropolitan cities, where the issues faced by practitioners there may differ. This would allow for a more comprehensive insight into the PRS across England and Wales.

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Appendix 1

Photo Prompt 1: Pre-1920s Dwelling – Ground Floor Front Living Room



Photo Prompt 2: Post 1979 Dwelling – First Floor Bedroom (2 Storey Property)



Photo Prompt 3: 1946 – 1979 Dwelling – Ground Floor Rear Living Room



Photo Prompt 4: Pre 1920s Dwelling - Ground Floor Rear Bathroom; Single Storey Extension



Appendix 2

Semi-Structured Interview Schedule

[INSERT PROMPTS – E.G. WHAT HAS YOUR EXPERIENCE BEEN OF..., TELL ME ABOUT..., HOW HAVE YOU FOUND...]

1. How long have you been working as an environmental health officer? Has all of that time been spent working within housing enforcement?
2. How would you describe your current role (in your own words) – responsibilities, day-to-day activities etc
3. How would you describe the current state of the private rented sector in Birmingham/West Midlands, based on your experience as an Environmental Health Officer?
 - *(If applicable) how has this evolved/changed during your time working as an EHO in housing.*

Experience with HHSRS (particularly in relation to damp and mould growth + related hazards).

4. What are the most common hazards you encounter within properties you inspect?
5. Tell me about your experience of using HHSRS – does it accurately capture/measure the conditions within the property?
6. *[Show photo prompts of different types of damp and mould growth]* In relation to damp and mould growth, tell me about your experience with using HHSRS to address this hazard (and related hazards such as excess cold)?
 - *(If applicable) whether they feel that new research/knowledge can be incorporated (whether HHSRS/related enforcement allows for that flexibility) in their decision making, or are they restricted to the data from the late 1990s/early 2000s that the rating system used.*

Effectiveness of current enforcement actions under the Housing Act 2004

7. Tell me about your experience of using the enforcement actions (such as improvement notices, prohibition notices) available under the Housing Act 2004?
8. Do you believe the enforcement options (available under the HA2004) are sufficient for improving the poor-quality housing conditions you may come across?

Barriers and challenges in addressing damp and mould growth (currently/since the introduction of the Housing Act 2004)

(likely build on previous comments based on their experience of using the HA2004)

9. Biggest challenges and barriers for the sector when using the current legislation to address poor quality housing conditions – (follow up) what changes they believe should/could be made to overcome these?

Evolving regulatory landscape – how they perceive changes in their role and potential future challenges or benefits

[As I'm sure you're aware, the sector is currently undergoing significant reforms to the legislation, with the impending introduction of the Renters Reforms Bill, Awaab's Law, and a Decent Homes Standard for the PRS]

10. In light of this, tell me about how you think this will affect the sector (and your role as an Environmental Health Officer)?
11. What changes do you predict it will bring, are there any future challenges or benefits that you believe it will bring (in your ability as an EHO to address poor quality housing in the PRS)?

Appendix 3



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Participant Information Sheet

Research Project (Provisional) Title: Examining the effectiveness of current legislative tools for improving poor quality housing conditions in the private rented sector, particularly in relation to damp and mould growth, from the perspective of Environmental Health Officers.

You are invited to take part in the following study being undertaken for a Dissertation Project on the Environmental Health MSc course at the University of Birmingham. Before you decide whether to take part, it is important that you understand why the study is being done and what your participation will involve. Please read the following information carefully. If you have any questions, then please contact either:

Alice Perrin (project lead)

Student on Environmental Health MSc

University of Birmingham

Email: axp948@student.bham.ac.uk

Zena Lynch (project supervisor)

Honorary Associate Professor

Department of Environmental Health and Risk Management, School of GEES

University of Birmingham

Email: z.lynch@bham.ac.uk

What is the purpose of the study?

The study aims to examine the effectiveness of the current legislative tools (e.g. HHSRS) for improving housing quality in the Private Rented Sector from the perspective of Environmental Health Officers, particularly in relation to the hazard of damp and mould growth. The research questions are:

- 1) Are the current legislative tools (e.g. HHSRS) effective for improving poor-quality housing conditions, particularly in relation to the hazard of damp and mould growth within privately rented dwellings?
- 2) What barriers and challenges are faced by Environmental Health Officers in addressing the growing issue of damp and mould growth, both currently and in light of the evolving regulatory landscape?



In order to answer the study's research questions, we will be conducting interviews with Environmental Health Officers within the West Midlands who have experience working within housing enforcement in the private rented sector.

Why have you been invited to take part?

You have been invited to take part as you are an Environmental Health Officer working within Private Rented Services in the West Midlands. As part of the study, we are interested in gaining information on your experiences of working within housing enforcement in the Private Rented Sector, particularly in relation to the hazard of damp and mould growth. We are also interested in gaining information about your views on the upcoming legislative changes to the sector (e.g. Renters' Rights Bill, Awaab's Law, Decent Homes Standard).

Participation is entirely voluntary and up to your discretion. Should you decide to take part, you will be supplied with a copy of this information sheet and asked to sign an informed consent form. You may withdraw your data from the study at any time without reason. If you wish to withdraw from the study, then please contact either Alice Perrin or Zena Lynch on the contact details above.

What will participation involve?

If you agree to participate in the study, you will be asked to take part in a 1-1 interview with Alice Perrin (project lead). The interview will take approximately 30 – 45 minutes and will be conducted online via Zoom or Teams. The interview will be recorded to aid later transcription.

What will happen with your data?

All participants and their data will be assigned an identifiable number (allocated by a random number generator) for full anonymity. All data will be held on a secure password-protected device that only authorised personnel will have access to.

The interview recordings will not be made available for any purposes other than the research project; once transcription has taken place, all voice recordings will be erased. All data will only be kept as long as necessary. Once the study has been completed, all data will be erased.

Once again, should you wish to withdraw your data from the study at any time, then please contact either Alice Perrin or Zena Lynch on the contact details above.

Possible disadvantages of participation?

There are no anticipated disadvantages or risks to taking part in this study. If you wish to end the interview at any time, then please let the researcher know.



What will happen to the results?

A report will be written containing the study's findings. A hard copy of the report will be made available, upon request, to all research participants.

Anonymous and non-identifying quotes may be used for publication and presentation purposes.

Ethical Review:

The ethical implications of the study have been reviewed and approved by Zena Lynch (Project Supervisor). Any further questions about the ethical conduct of the study should be addressed to Zena Lynch at:

z.lynch@bham.ac.uk

The study will at all times aim to comply with the University of Birmingham's Code of Practice for Research. Available to view at:

<http://www.birmingham.ac.uk/Documents/university/legal/research.pdf>.

Who to contact if you have any further questions?

If you have any further questions about the study, then please contact either:

Alice Perrin (project lead)

Student on Environmental Health MSc

University of Birmingham

Email: axp948@student.bham.ac.uk

Zena Lynch (project supervisor)

Honorary Associate Professor

Department of Environmental Health and Risk Management, School of GEES

University of Birmingham

Email: z.lynch@bham.ac.uk

Appendix 4



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Participant Informed Consent Form

Research Project (Provisional) Title: Examining the effectiveness of current legislative tools for improving poor quality housing conditions in the private rented sector, particularly in relation to damp and mould growth, from the perspective of Environmental Health Officers.

You are invited to take part in the following study being undertaken for a Dissertation Project on the Environmental Health MSc course at the University of Birmingham. Before you consent to take part, it is important that you have read and understood the Participant Information Sheet.

For further information about the study, please contact either Alice Perrin (project lead at axp948@student.bham.ac.uk) or Zena Lynch (project supervisor at z.lynch@bham.ac.uk).

Please provide consent to the following before participating in the study:

- ☐ I confirm that I have read and understood the Participant Information Sheet.
- ☐ I understand that if I have any outstanding questions regarding this study I can contact Alice Perrin (axp948@student.bham.ac.uk) or Zena Lynch (z.lynch@bham.ac.uk).
- ☐ I understand that fully anonymised short quotations from the interview may be used in the write-up of the study.
- ☐ I understand that I have the right to withdraw my data from the study at any time, up until the point that all data has been collated and analysed.
- ☐ I confirm that I consent to take part in this study.

Signed:

_____X

Date:

Appendix 5

A breakdown of the themes, subthemes and codes.

<p>Complexity of Damp and Mould <i>Subtheme: Complexity in establishing and addressing the cause</i></p> <ul style="list-style-type: none"> - Causes of damp and mould highly complex - Complexity in rating damp and mould under HHSRS <p><i>Subtheme: The role of the tenant</i></p> <ul style="list-style-type: none"> - Concerns about Awaab's law - Cost of living and damp and mould - Lack of tenant awareness and education - Tenant's role in damp and mould 	<p>Difficulties in Addressing Poor Standards and Non-Compliance <i>Subtheme: Juggling the Landlord and Tenant motivations and relations</i></p> <ul style="list-style-type: none"> - Change in Landlord attitudes - Changing attitudes of tenants - Complexity of the Landlord/tenant relationship <p><i>Subtheme: Lack of Minimum Standards</i></p> <ul style="list-style-type: none"> - Lack of clear minimum standards - Officers' powers limited to improve properties
<p>Deteriorating housing stock and underinvestment <i>Subtheme: Lack of government investment over decades</i></p> <ul style="list-style-type: none"> - Lack of government funding and investment <p><i>Subtheme: Aging housing stock and lack of Landlord investment</i></p> <ul style="list-style-type: none"> - Lack of accountability and responsibility Landlords - Damp and mould commonplace - Deteriorating poor quality housing stock in the PRS 	<p><i>Subtheme: Enforcement tools and improving properties</i></p> <ul style="list-style-type: none"> - Negative outcomes from enforcement - Lack of effective outcomes for improving properties - Enforcement actions sufficient <p><i>Subtheme: The expected role of the Landlord</i></p> <ul style="list-style-type: none"> - Lack of LL awareness and education - Lack of support from courts and tribunals - Lack of accountability and responsibility Landlords
<p>New Reforms and Recent Amendments to the Sector <i>Subtheme: Concerns about the practicalities of the new reforms</i></p> <ul style="list-style-type: none"> - Apprehension about new reforms - Lack of government funding and investment - Concerns about Awaab's Law - Lack of tenant awareness and education <p><i>Subtheme: Increasing awareness and a step in the right direction</i></p> <ul style="list-style-type: none"> - Benefits to the sector from new reforms - Recent improvements in legislation 	<p>Use of HHSRS in Practice <i>Subtheme: Complexity and accuracy</i></p> <ul style="list-style-type: none"> - HHSRS data is out of date - HHSRS is overcomplicated - Lack of landlord awareness and education - Complexity in rating damp and mould under HHSRS <p><i>Subtheme: Officer Experience and Subjectivity</i></p> <ul style="list-style-type: none"> - HHSRS is subjective - HHSRS can be flexible <p><i>Subtheme: Resource intensive</i></p> <ul style="list-style-type: none"> - HHSRS and enforcement is resource intensive