

# **Written evidence submitted by the Chartered Institute of Environmental Health to the House of Commons Housing, Communities and Local Government Committee inquiry into housing conditions in England**

## **Introduction**

The Chartered Institute of Environmental Health is the professional voice for environmental health representing over 7,000 members working in the public, private and non-profit sectors (including environmental health professionals working in local authority housing enforcement teams). Building on our rich heritage, we ensure the highest standards of professional competence in our members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important and unique contribution to make to improving public health and reducing health inequalities. We campaign to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to our environment and our health.

## **Executive summary**

- We welcome the Renters' Rights Bill but are concerned about the large enforcement burden that the provisions of the Bill will impose on local authorities. Funding must be proportionate, sustained and predictable. It must permit local housing authorities to attract new staff and fund the training of those staff now and in the future.
- We believe that the Government should remove unnecessary barriers to the use of licensing schemes to improve housing standards. We are asking the Committee to recommend to the Government that it should introduce legislation enabling local authorities operating selective licensing schemes to use licence conditions to improve housing conditions, i.e. the physical state of the licensed properties, and increasing the maximum duration of additional HMO licensing schemes and selective licensing schemes from five to ten years.
- Neither the Decent Homes Standard nor Awaab's Law will remove the need for local authorities to be able to use licence conditions to deal proactively with general disrepair in areas with poor housing conditions.
- We are concerned about how the role of the proposed private rented sector ombudsman will interact with that of local authorities.

- We welcome the proposed private rented sector database as a tool to support the use of tailored enforcement approaches by local authorities.

## Overarching

### What is the general condition of homes in England and how prevalent are housing hazards such as damp and mould?

1. The English Housing Survey indicates that the overall prevalence of non-decent homes was 15% in 2023 and has declined from 35% in 2006.<sup>1</sup> The social rented sector is in better condition than the private rented sector and the owner occupied sector. The survey reports that Category 1 hazards, i.e. the most serious hazards, under the Housing Health and Safety Rating System (HHSRS) were “more prevalent in the private rented sector (10%) than the owner occupied sector (8%) and the social rented sector (4%)”.<sup>2</sup>
2. The Building Research Establishment (BRE) has produced reports that provide data on the prevalence of Category 1 hazards for the various types of hazard in the HHSRS.<sup>3</sup> The most commonly occurring hazards on the basis of the BRE’s 2023 briefing paper are shown in the following table.

Relative frequency of Category 1 hazards	Owner occupied (number of Category 1 hazards)	Private rented (number of Category 1 hazards)	Social rented (number of Category 1 hazards)
1 <sup>st</sup> (most common)	Falls on stairs (682,763)	Falls on stairs (251,348)	Falls on stairs (80,262)
2 <sup>nd</sup>	Excess cold (518,168)	Excess cold (178,541)	Falls on the level (40,616)
3 <sup>rd</sup>	Falls on the level (259,669)	Falls on the level (99,796)	Excess cold (22,615)
4 <sup>th</sup>	Falls between levels (150,785)	Falls between levels (44,552)	Overcrowding (26,340)
5 <sup>th</sup>	Fire (77,356)	Falls between levels (44,552)	Damp and mould growth (18,616)
6 <sup>th</sup>	Radon (66,595)	Fire (44,412)	Falls between levels (10,410)
7 <sup>th</sup>	Lead (56,879)	Damp and mould growth (32,701)	Sanitation (personal hygiene) (9,862)

<sup>1</sup> English Housing Survey, *English Housing Survey 2023 to 2024: headline findings on housing quality and energy efficiency*, Chapter 1, [Annex Table 1.4: Non-decent homes, by tenure, 2006 to 2023](#), 30 January 2025.

<sup>2</sup> English Housing Survey, [English Housing Survey 2023 to 2024: headline findings on housing quality and energy efficiency](#), 30 January 2025.

<sup>3</sup> Helen Garrett, Susie Margoles, Molly Mackay and Simon Nicol, [The cost of poor housing in England by tenure: 2023 Briefing paper: Tenure-based analysis](#), 1 March 2023. Helen Garrett, Molly Mackay, Simon Nicol, Justine Piddington and Mike Roys, [The cost of poor housing in England: 2021 Briefing paper](#), November 2021. The most prevalent Category 1 hazards vary slightly between successive BRE reports.

8 <sup>th</sup>	Food safety (17,963)	Overcrowding (16,695)	Radon (8,628)
9 <sup>th</sup>	Damp and mould growth (13,243)	Hot surfaces (12,432)	Pests and refuse (5,634)

3. We welcome the Government's attention to the important hazards of fire and damp and mould growth but are concerned that there is a decreased emphasis on the more prevalent hazards of falls and excess cold.
4. We note that, while the risk to health from housing is of the foremost importance, the Government should also be concerned with maintaining the physical condition of the nation's housing stock as an end in itself.

## Social housing sector

### **How effective will the proposed reforms to the Decent Homes Standards be at improving the conditions of social housing?**

5. We will be responding to the Ministry of Housing, Communities and Local Government (MHCLG)'s current consultation on a reformed Decent Homes Standard for social and privately rented homes and would be happy to share our response with the Committee.
6. We accept that within the current legal framework there is a strong case for reducing acceptable thresholds for disrepair to create a minimum standard that will cover issues which cannot be addressed through the HHSRS. We would, however, prefer a broader definition of disrepair that goes beyond structural issues to include fixtures and fittings (although not furnishings).
7. Levels of disrepair would have to be quite severe in order for a property to fail the reformed Decent Homes Standard on which the Government is consulting. Given the shortage of housing, there is little to compel social or private landlords to deal with disrepair which falls below the thresholds set out in the standard.
8. We believe that the current Energy Performance Certificate (EPC) process is flawed. We support reform of EPCs and, in particular, the prioritisation of fabric performance (given the benefit for tenants in terms of thermal comfort and fuel costs).

### **Have social landlords been abiding by the Decent Homes Standard; are the consequences for non-compliance tough enough or do these need to go further?**

9. The English Housing Survey indicates that the prevalence of non-decent homes in the social rented sector was 10% in 2023 and has declined from 29% in 2006.<sup>4</sup> This suggests

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<sup>4</sup> English Housing Survey, *English Housing Survey 2023 to 2024: headline findings on housing quality and energy efficiency*, Chapter 1, [Annex Table 1.4: Non-decent homes, by tenure, 2006 to 2023](#), 30 January 2025.

that there has been general compliance with the Decent Homes Standard. There are anecdotal reports, however, of differing levels of compliance among providers.

10. The current HHSRS enforcement guidance implies local authorities should adopt a more informal approach to dealing with registered social landlords than to dealing with private landlords.<sup>5</sup> It has been suggested that this position should be changed so that in order to reduce non-compliance local authorities would adopt a more formal approach to the enforcement of legislation on social landlords.

**What should be included in the Regulator of Social Housing's forthcoming Competence and Conduct Standard to help improve the service social tenants receive?**

11. No comment.

**How effective is the Housing Health and Safety Rating System as a framework for identifying hazards and how could it be improved?**

12. A government initiated review of the Housing Health and Safety Rating System (HHSRS) concluded in 2022 and a summary report was published in September 2023.<sup>6</sup> Key changes referred to in the report include reducing the total number of hazards assessed from 29 to 21, producing a simpler means of banding the results of assessments and publishing indicative baselines to make it easier for landlords and tenants to understand the system. We would encourage the Committee to ask the Government to bring the conclusions of the review into force as soon as possible.
13. We welcome the agreement by the House of Lords to a government amendment to the Renters' Rights Bill removing the current requirement for local authorities to give landlords 24 hours' notice of an inspection of a residential property under the HHSRS. This requirement provides an opportunity for the landlord to appear at the inspection, which can be an intimidating experience for the tenant making the complaint. Local authorities should be able to conduct such visits without giving the landlord 24 hours' notice, permitting private conversations with the tenant before the local authority contacts the landlord to notify them if works are required.

**What will the impact of Awaab's Law be on social housing providers, and will this affect social and affordable housing supply?**

14. We welcome the introduction of Awaab's Law but have concerns about how it will be implemented in practice. The enforcement of the law depends, ultimately, on the ability and willingness of tenants to take direct legal action against their landlords. This is something that most tenants will find difficult. It will be particularly challenging for the most vulnerable tenants, who are likely to suffer the most as a result of poor housing conditions. We believe this will limit the impact of the change.

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<sup>5</sup> Office of the Deputy Prime Minister, [Housing Health and Safety Rating System: Enforcement Guidance](#), February 2006, para. 2.3.

<sup>6</sup> Department for Levelling Up, Housing and Communities, [Summary report: outcomes and next steps for the review of the Housing, Health and Safety Rating System \(HHSRS\)](#), 7 September 2023.

15. The Awaab's Law draft regulations and the draft guidance on Awaab's Law for social landlords are unclear in a number of important ways that will reduce the impact of Awaab's Law and its potential to protect vulnerable tenants. The regulations require social landlords to respond to significant and emergency hazards within specified timeframes. The regulations and guidance are vague, however, on what constitutes a significant hazard and an emergency hazard. A significant hazard is one that poses a 'significant risk of harm' to the health or safety of a tenant, which is defined as 'a risk of harm to the occupier's health or safety that a reasonable lessor with the relevant knowledge would take steps to make safe as a matter of urgency'.<sup>7</sup> An emergency hazard is one that poses 'an imminent and significant risk of harm' to the health or safety of the tenant, which is defined as 'a risk of harm to the occupier's health or safety that a reasonable social landlord with the relevant knowledge would take steps to make safe within 24 hours'.<sup>8</sup> Also, the social landlord "must ensure an investigation is conducted by a person who (in the reasonable opinion of the social landlord) is competent to do so".<sup>9</sup> These terms create loopholes and ambiguity such that tenants will be able to obtain clarification only through litigation and caselaw.
16. The regulations and guidance do not make clear who will be responsible for registering and investigating the tenant's concerns. Tenants may think they have made a complaint about their dwelling only for it not to be recorded as such.
17. There does not appear to be a strict requirement for those carrying out an investigation to be trained in the use of the HHSRS. This would seem to be a prerequisite for them to be competent to carry it out. There is potential to use local authority environmental health practitioners, but inspectorates are under-resourced. Unless inspections are paid for, there are currently insufficient public funds to support inspections which may eventually result in civil court actions.
18. Landlords often blame damp and mould growth on tenant behaviour. It is not clear how Awaab's Law will prevent this.
19. Awaab's law presents some significant challenges for social landlords. Social landlords are affected by the nationwide challenges in training and recruiting tradespeople. Awaab's Law's short timescales will be hard to meet with their limited resources. Where the timescales cannot be met, landlords must rehouse residents. Social housing is in very short supply. Landlords may be forced to move tenants long distances for unspecified periods of time or to resort to using commercial accommodation. Both these approaches would drain resources and the latter approach would move public money into the private sector.

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<sup>7</sup> Ministry of Housing, Communities and Local Government, [Awaab's Law: Draft guidance for social landlords](#), 25 Jun 2025, section 3.2.

<sup>8</sup> Ministry of Housing, Communities and Local Government, [Awaab's Law: Draft guidance for social landlords](#), 25 Jun 2025, section 3.3

<sup>9</sup> Ministry of Housing, Communities and Local Government, [Awaab's Law: Draft guidance for social landlords](#), 25 Jun 2025, section 4.

**What impact will the Government's proposed Minimum Energy Efficiency Standards have on the social housing sector?**

20. We are concerned about the capacity within the sector to carry out inspections and to carry out energy efficiency works. The development of this capacity will need to start urgently. It will also be crucial to ensure competency levels in the sector are sufficient to maintain trust in the new regime.
21. When low carbon heating systems are installed, the overall cost of heating for the tenant should be taken into account. There is a risk that tenants may be pushed into fuel poverty through reliance on electricity (rather than gas) for heating and a lack of awareness about how to use new systems effectively.

**How can technology help to monitor and improve the condition of homes, and what more can the Government do to facilitate the effective use of technology in this area?**

22. Assessment of damp and mould growth and excess cold can be aided through the use of internal sensors and data loggers / mobile phone applications. These are relatively low cost and provide valuable evidence for assessors. They also aid residents in maintaining appropriate hygrothermal conditions.
23. Many new home energy efficiency technologies are web enabled allowing remote monitoring of energy consumption and indoor environments. This should be permitted only where the tenant has given consent to such monitoring and that consent must be capable of being removed. Existing and new occupiers of dwellings will require guidance on these new technologies and how to use them effectively. The market is developing rapidly with a wide range of hardware and associated software. This can be overwhelming for consumers. Industry standards may emerge naturally or with government involvement.

**What other measures can the Government take to support social landlords and residents to take effective action against hazards and improve the condition of non-decent homes?**

24. The Government could address the shortcomings in the Decent Homes Standard and Awaab's Law that are highlighted above.

**Private rented sector**

**Does the Renters' Rights Bill go far enough to address poor housing conditions in the private rented sector?**

*Funding enforcement*

25. We welcome the Renters' Rights Bill but are concerned about the large enforcement burden that the provisions of the Bill will impose on local authorities and the need for proportionate funding that is sustained and predictable.

26. The success of the landlord redress scheme, the private rented sector database and the changes around possession of properties all depend on effective enforcement. The Bill allows for database fees to be passed on to local authorities but there is no comparable source of direct revenue generation for funding enforcement burdens associated with the new ombudsman service. We believe that the Government should make it possible for ombudsman fees to be used to fund the enforcement costs of the scheme.
27. Local authorities are already severely under-resourced and struggling to meet their existing enforcement burdens. Work by Battersby<sup>10</sup> found an average of 2.46 environmental health officers for every 10,000 private rented sector dwellings in London boroughs and 2.2 in metropolitan and unitary authorities. This is not sufficient to deal with the existing numbers of tenant complaints. The Bill will generate more cases for environmental health practitioners to investigate.
28. The Bill's heavy reliance on civil penalty notices appears to assume this income will support a significant proportion of the cost of enforcement. Most cases are resolved through informal action, so only a small proportion will result in punitive action through prosecutions or civil penalty notices. Penalty notices do not represent a reliable or predictable source of income. Only half of the amounts charged in civil penalty notices are collected by local authorities.<sup>11</sup>
29. Since the millennium there has been a substantial increase in the range of housing legislation. Additional legal protections are welcome, but all these new protections require effective enforcement. Each new piece of legislation requires further resources from local authority environmental health teams.<sup>12</sup> Local authority regulatory department funding fell by an average of 41% and staff numbers fell by over a third between 2010 and 2020.<sup>13</sup>
30. Other industries fund their regulation through local authority fees (for example planning and building control). The rental sector should limit burdens on the taxpayer by funding local authority regulation. Ombudsman and database registration fee income should be used to ensure the sector contributes much more towards the cost burdens associated with its regulation. Moreover, central government funding will need to be sustained beyond the initial years of the introduction of these new duties and reflect the relative size of the private rented sector for each local authority.
31. Research carried out by Harris et al.<sup>14</sup> found that reliable and consistent funding streams are required to allow local authorities to plan staffing requirements. Decades of unpredictable funding have severely reduced the ability of local authorities to devote

<sup>10</sup> Stephen Battersby, *Private Rented Sector Inspections and Local Housing Authority Staffing*, March 2018.

<sup>11</sup> National Residential Landlords Association, [The Enforcement Lottery: Local authority enforcement 2021-23](#), May 2024.

<sup>12</sup> National Residential Landlords Association, [Not under-regulated but under-enforced: the legislation affecting private landlords in England](#), July 2021.

<sup>13</sup> Emma Rose, [The UK's Enforcement Gap 2020](#), Unchecked UK, October 2020.

<sup>14</sup> Jennifer Harris, Dave Cowan and Alex Marsh, [Improving compliance with private rented sector legislation: Local authority regulation and enforcement](#), UK Collaborative Centre for Housing Evidence, August 2020.



resources to recruitment, training and maintaining an experienced inspectorate. Four out of five local authorities rely on agency staff to deliver basic environmental health functions.<sup>15</sup>

32. We would suggest that local authorities should receive ring-fenced funding based on the number of private rented sector dwellings registered in their areas in order to reflect their relative enforcement burdens. We believe there should be separate fees for the administration of the ombudsman and database schemes. A defined proportion of those fees should be paid to local authorities to cover routine costs involved in providing these regulatory functions.

#### *Removing unnecessary barriers to the use of licensing schemes*

33. We believe that the Government should remove unnecessary barriers to the use of licensing schemes to improve housing standards.
34. Licensing provides a means for local authorities to inspect privately rented housing using enforceable conditions - and to identify and resolve problems - without the need for tenants to have complained. It also makes major contributions to area-based issues, such as crime, anti-social behaviour and waste management, and brings together a range of bodies to focus additional support services for landlords and tenants, improving public health and reducing burdens on the NHS.
35. Licensing schemes pay for themselves through the fees that are charged. They therefore provide a sustainable and predictable source of income that enables local authorities to maintain staffing levels and support the training of new officers.
36. Licensing schemes also enable local authorities to target regulation on where it is most needed, i.e. on tackling the worst landlords and supporting the most vulnerable tenants.
37. We are asking the Committee to recommend to the Government that it should introduce legislation bringing the wording of subsection 90(1) of the Housing Act 2004 on licence conditions for selective licensing into line with the wording of the equivalent provision for licensing of houses in multiple occupation in subsection 67(1). This would enable local authorities operating selective licensing schemes to use licence conditions to improve housing conditions, i.e. the physical state of the licensed properties. It would remove a peculiar disconnect in current legislation whereby local authorities are permitted to introduce selective licensing schemes in order to address poor housing<sup>16</sup> but are not permitted to include in the licences themselves conditions requiring the physical state of the licensed properties to be improved. It would give local authorities the same discretion in relation to the licence conditions used in selective licensing schemes as they already have in relation to the licence conditions used in additional HMO licensing schemes.

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<sup>15</sup> Chartered Institute of Environmental Health, [Environmental health workforce survey report: local authorities in England](#), April 2021.

<sup>16</sup> [The Selective Licensing of Houses \(Additional Conditions\) \(England\) Order 2015](#)



38. We do not accept the Government's implication<sup>17</sup> that the introduction of a Decent Homes Standard and Awaab's Law to the private rented sector will make this change unnecessary. Neither of these measures will remove the need for local authorities to be able to use licence conditions to deal proactively with general disrepair in areas with poor housing conditions (see paragraphs 53 and 57 below).
39. We are also asking the Committee to recommend to the Government that it should introduce legislation amending sections 60 and 84 of the Housing Act 2004 to increase the maximum duration of additional HMO licensing schemes and selective licensing schemes from five to ten years. This would permit local authorities to implement longer additional HMO licensing schemes and selective licensing schemes without repeating the time consuming and expensive designation process. Local authorities introduce these schemes in order to bring about large-scale improvements which are unlikely to be fully achieved within five years. The longer duration would allow them to advertise longer term posts and to include training of new staff in these schemes. It would also provide more time for local partnerships formed through such schemes, for example to resolve antisocial behaviour, to become embedded and effective.
40. We do not accept the Government's suggestion<sup>18</sup> that a maximum duration for licensing schemes of five years strikes the right balance between the needs of local authorities and the needs of landlords. This suggestion does not take proper account of the time and money that is wasted through councils being unnecessarily required to repeat the designation process.
41. We would encourage the Committee to ask the Government to remove the requirement for local authorities establishing selective licensing schemes to ensure that the private rented sector forms a high proportion of properties in the area.<sup>19</sup> If there are issues in the private rented sector which can be addressed through selective licensing schemes, it seems arbitrary for local authorities to be unable to establish such schemes without ensuring that the sector forms a high proportion of properties.
42. We note that there is nothing unduly burdensome for landlords about them being required by licence conditions to keep their properties in a good physical state. They should be doing so anyway.
43. We also note that the average licence fee per year for selective licensing schemes is probably in the region of £150, which is only about 1% of the average annual rent in England.<sup>20</sup>

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<sup>17</sup> [House of Lords Hansard, 14 May 2025, col. 2288.](#)

<sup>18</sup> [House of Lords Hansard, 14 May 2025, col. 2288.](#)

<sup>19</sup> [The Selective Licensing of Houses \(Additional Conditions\) \(England\) Order 2015](#)

<sup>20</sup> Since the typical duration of selective licensing schemes is currently five years, the average licence fee of almost £700 that was reported by an insurance company in 2024 on the basis of the responses they received to a Freedom of Information request ([Landlords in England face rising costs due to selective licensing schemes - Direct Line Group](#)) is likely to represent an average licence fee *per year* in the region of £150. The average *monthly* rent in England in May 2024 was £1,301 ([Private rent and house prices, UK - Office for National Statistics](#)).

### *Other aspects of enforcement*

44. The Bill provides only a level 3 fine for obstruction. The Housing Act 2004 uses a level 4 fine. The provision in the Bill should be changed to align these offences.
45. Universal Credit has replaced Housing Benefit for many claimants. Local authorities are allowed to use Housing Benefit information and should be allowed to use equivalent Universal Credit information. We are therefore proposing that the Government should introduce legislation amending section 133A of the Social Security Administration Act 1992 to allow local authorities to use the latter type of information.

### *Landlord redress schemes*

46. We broadly support the use of a landlord redress scheme but are concerned by the lack of clarity about interactions between the proposed private rented sector ombudsman and local authority enforcement bodies and about the funding arrangements for local authorities tasked with enforcing membership of the redress scheme.
47. When the 4.6 million private rented sector households are able to access an ombudsman, the workload will be considerable. 85% of private landlords operating as individuals own 1-4 rental properties and 45% own just one.<sup>21</sup> There will be a wide range of compliance levels. It is unclear how the new ombudsman will protect tenants from long delays in dealing with their complaints and unclear who will take the lead if a tenant complains to both the ombudsman and the local authority. The ombudsman should not be another obstacle that stands between tenants and enforcement of their rights.

### *The private rented sector database*

48. We welcome the proposed private rented sector database as a tool to support tailored enforcement approaches by local authorities.
49. Enforcing national registration would add considerably to the workloads of local authority inspectorates. At present the nearest analogous system of national registration enforcement is Rent Smart Wales. The Welsh Government's evaluation of Rent Smart Wales found that in its first two years only 196 fixed penalties had been issued and 13 successful convictions completed owing to a lack of clarity on roles and responsibilities for local authorities and a lack of capacity at local level to enforce the Housing (Wales) Act 2014.<sup>22</sup>
50. The database would provide a valuable tool to support the use of licensing schemes under the Housing Act 2004. Identification of unlicensed properties would become more straightforward. The database could be used proactively to inform landlords about local authority activities in their area. Selective licensing should be retained to focus

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<sup>21</sup> Department for Levelling Up, Housing and Communities, [English Private Landlord Survey 2021: main report](#), May 2022.

<sup>22</sup> Welsh Government, [Evaluation of Rent Smart Wales](#), June 2018.

enforcement where it is needed most, generating revenue to resource this activity from landlords in those areas and minimising burden on landlords in other areas.

51. The private rented sector is composed of a wide range of local sub-markets<sup>23</sup> which local authorities are best equipped to understand and regulate. A national registration scheme will tell local authorities where rented properties and their landlords are. Aside from collecting basic certification, the database will do little to bring about direct improvements in property conditions and management without independent inspections of properties. Self-declaration of property condition is unlikely to be an effective indicator of compliance with the Decent Homes Standard. Certificates will also need to be checked as faults are frequently found in those provided to local authorities.
52. The database will provide a valuable source of information on the sector. There are a range of opportunities to match this information with existing English Housing Survey and public health datasets. Consideration should be given to providing access to the data for researchers, with a view to promoting more evidence-based policy decisions.

**How effective will the introduction of the Decent Homes Standard be at improving the condition of homes in the private rented sector?**

53. We would emphasise that the Decent Homes Standard will not remove the need for local authorities to be able to use licence conditions to deal proactively with general disrepair in areas with poor housing conditions. There are at least four reasons for this.
- 1) When licence conditions are in place, if a breach of these conditions is proved, local authorities can serve a civil penalty notice on the landlord without first having to issue an improvement notice and/or take other action that involves unnecessary delay. They will be able to do this for breaches of the proposed Decent Homes Standard only in more serious cases - possibly only where there is a serious and immediate risk to a person's health and safety - and only where they can prove that the landlord has failed to take reasonably practicable steps to address the issue. Licence conditions would therefore give landlords a much stronger incentive than the Decent Homes Standard to address general disrepair.
  - 2) The enforcement of licence conditions can be funded by licence fees. The cost of enforcing the Decent Homes Standard will fall on taxpayers. In practice, therefore, the use of licence conditions would lead to local authorities undertaking a much higher level of enforcement.
  - 3) Licence conditions give local authorities a clear justification - as well as sufficient funding - for entering properties to carry out inspections without the tenant having complained. We would expect that outside of licensing schemes the vast majority of inspections under the Decent Homes Standard will be in response to complaints.
  - 4) Licence conditions could deal with items of disrepair that would be difficult to address using the Decent Homes Standard.

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<sup>23</sup> Julie Rugg and David Rhodes, [\*The Private Rented Sector: its contribution and potential\*](#), Centre for Housing Policy, 2008, pp. 15-28.

**What impact will the introduction of the Decent Homes Standard have on landlords in the private rented sector?**

54. The sector has a range of standards. Introducing a new standard has the potential to cause confusion for landlords. We believe that the various standards need to be consolidated to provide clarity for landlords, tenants and local authorities.
55. The Decent Homes Standard still includes the HHSRS. Most landlords and letting agents are not qualified as HHSRS assessors. They rely on local authority assessors to inform them when there is a hazard in the property they manage. They are therefore likely to continue operating whilst unaware of hazards in their homes.
56. The proposed amendments to the Decent Homes Standard are cautious and should not pose a significant extra burden on good landlords in terms of general repair of the property. There is, however, a high proportion of pre-1920s housing stock in the private rented sector. This stock will be particularly difficult to bring up to the minimum energy efficiency level required in the proposals for the reformed Decent Homes Standard. There is a risk that this will result in properties in need of significant levels of work being transferred to the owner occupied sector as landlords vary their stock to manage the costs incurred in this area.

**What impact would applying Awaab's Law to the private rented sector have on landlords and will this affect housing supply in the private rented sector?**

57. We would emphasise, although it would seem obvious, that Awaab's Law will not remove the need for local authorities to be able to use licence conditions to deal proactively with general disrepair in areas with poor housing conditions. The enforcement of Awaab's Law will depend on the ability and willingness of tenants themselves to seek redress and, ultimately, to take legal action through the courts. It is often difficult for tenants to use legal remedies themselves. Areas with poor housing conditions contain many poor and vulnerable tenants who are particularly badly placed to do so. Licensing would clearly be a much better way of targeting support on them.

**New build homes**

**How can the Government ensure that new-build homes are as high-quality as possible?**

58. Our members enforce housing conditions retrospectively. This means that they are often brought in where building regulation and planning requirements have not been met. Also, current building regulation requirements sometimes do not go far enough to prevent the occurrence of Category 1 hazards. The increased prevalence of excess heat issues in newbuild housing is one example of this. Another example is where Approved

Document K permits ‘space saver staircases’ with alternating treads.<sup>24</sup> These would be very likely to be scored as a Category 1 hazard under the HHSRS.

## Temporary accommodation

### **How prevalent are the “appalling conditions” the Committee found in some instances of temporary accommodation in its recent inquiry, and how can the Government best address this?**

59. The licensing of supported accommodation is an important step in improving conditions in temporary accommodation. We welcome its introduction and the fact that it will enable local authorities to use a self-funded form of regulation that provides sustained and predictable funding for local authority enforcement teams.

60. The Housing Act 2004 provides a range of powers for enforcing good conditions in places used as the only or main dwelling of the occupiers. Temporary accommodation may fall outside of these powers, especially in situations such as custodial schemes and accommodation occupied as bed and breakfast accommodation. Where accommodation falls inside the scope of the legislation enforced by environmental health practitioners, enforcement activity may be frustrated by ‘rent-to-rent’ arrangements or where the accommodation is run by a body corporate which may be dissolved by its director before notices and fines can be enforced.

61. A report on temporary accommodation (TA) from the London Assembly Housing Committee has said that there is “an urgent need to improve national standards and regulation around the quality of TA”.<sup>25</sup> We agree with this view and would highlight the need for clear and uniform standards across the country.

62. We would also suggest that temporary accommodation providers should be included in the private rented sector database as well as landlords.

### **Has there been any progress in tackling the “shocking conditions” in exempt accommodation, identified by the predecessor to this Committee in 2022?**

63. We do not have data that would enable us to answer this question.

### **How can local authorities best be supported to take action against rogue landlords operating in the temporary and exempt accommodation sectors?**

64. Sustained and predictable funding should be used to support local authority enforcement action. Local authorities need to be able to plan staffing and to train new

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<sup>24</sup> HM Government, [The Building Regulations 2010: Approved Document K: Protection from falling, collision and impact](#), 3 January 2013, pp. 12-13, paras 1.29-1.30 and diagram 1.10.

<sup>25</sup> London Assembly Housing Committee, [London’s Temporary Accommodation Emergency](#), March 2024, p. 7.

members of the inspectorate. Our comments on funding enforcement in paragraphs 25-32 above are relevant here.

65. The Renters' Rights Bill permits local authorities to take action against an officer of a body corporate and to impose penalties on multiple persons. These powers address loopholes in existing legislation and will assist with enforcement under the new Act. The Government could consider how existing legislation can be strengthened to protect tenants.

66. The private rented sector database will improve the data available on landlords.

**18th August 2025**