

## **Private Rented Sector Forum**

### **Damp and Mould**

**26.01.23**

#### **Introduction**

The Secretary of State has requested information on the specific activity local authorities have taken over the last three years to address damp and mould hazards in the private rented sector, with specific questions covering the amount and nature of remediation and enforcement activity, Civil Penalty Notices, and prosecutions. He also asked that we set out the plans we have in place to prioritise the enforcement of housing standards more generally, with a particular focus on how we ensure adequate enforcement capacity to drive up standards in the PRS

#### **Key Statistics**

Key statistics from the information gathered show that there are 9725 (24%) (Census 2021) private rented properties in the Borough. The table below shows the number of properties inspected and how many of those inspections found a hazard of damp and mould.

Year	No. Inspections	No. Cat 1 damp & Mould	No. Cat 2 damp & Mould	No. enforcement notices served for damp & Mould	No. Civil penalties issued
19/20	287	11	79	8	0
20/21	152	10	39	2	1
21/22	294	8	82	4	0

The Council have a mandatory duty to address Category 1 hazards and a discretion for Category 2 hazards. The Council's Housing Enforcement Policy states that the Council will act upon hazards that are a F or above. In his letter, the Secretary of State directed all local to have particular regard to high scoring (bands D and E) category 2 damp and mould hazards.

#### **Current activity to improve housing conditions in the Borough**

##### **Working with the Private Rented Sector**

One of the key aims of the Council's Housing Strategy is to deliver transformational improvement of the private rented sector which is delivered through a range of projects including:

##### **Good Landlord and Agent Scheme**

The Council has been operating the Good Landlord and Agent Scheme since 2001 to encourage landlords to voluntarily meet the minimum legal standards in relation to condition and management. The Council also operates a Gold Standard of accreditation to encourage landlords to go beyond the minimum standard required.

##### **Selective Landlord Licensing**

To proactively regulate housing conditions across the Borough in privately rented properties, the Council has been delivering Selective Licensing since 2009 and currently has six designations covering over 3000 privately rented properties. Poor property conditions in the private sector have been key factors when these areas have been chosen for selective licensing.

Through the areas designated for selective licensing proactive audits are undertaken on a rolling programme. As part of this audit safety certificates are requested and external disrepair is identified and addressed. Common disrepairs including leaking gutters, poor render or missing/defective pointing which are pursued with the Landlord. Remedying such disrepair prevents penetrating damp. Properties that are identified as being in a very poor state of disrepair will be referred to the Council's Housing Enforcement Team for a full inspection under Part 1 of the Housing Act 2004.

The Council also carries out proactive inspections on properties in the ownership of "Rogue" landlords who are known to the Council due to repeatedly failing to meet required housing standards. Often tenants are afraid to report disrepair in these properties and the proactive inspections ensure required standards are met that will include any issues with damp and mould.

As part of being a licensed landlord property owners and managers are required to attend a landlord development day. Damp and mould will be introduced as a standing item at future development days.

#### Private Rented Sector Forum

Burnley has a well-established Forum where representatives from the private rented sector meet with Council Members and officers to focus on issues affecting the sector. The forum meets every 6 weeks and hosts 6 monthly landlord evenings open to all landlords operating in the borough. Damp and Mould issues will become a specific focus of this group and introduced as a topic for the future landlord evenings.

#### Empty Homes Programme

The Council through its Empty Homes Programme offers interest free loans to private landlords to help ensure empty properties in the sector are renovated to a high standard and returned into use to provide safe and secure homes for private tenants. The Council also buy and renovate for sale 20 empty properties a year that once renovated achieve a minimum EPC rating of C. Most recently with the addition of solar PV panels a terraced property achieved a "B". Once sold these properties will be returned into use as a mixture of owner occupied and private rented accommodation offer a good standard of thermal comfort significantly reducing the risk of the occurrence of damp and mould.

#### Energy Efficiency

Issues with damp and mould are closely linked with excess cold and fuel poverty. The Council recently took part in the Private Rented Sector Minimum Energy Efficiency Standard Programme. At the conclusion of this programme 211 private rented properties had improved their energy performance certificate (EPC) ratings from a F or G to at least an E.

## **Other related activity**

### Working with Registered Providers and other agencies

The Council has recently completed a review at the request of the Council's Scrutiny Committee to look closely at the lead Registered Providers responsive repair times and planned maintenance programmes.

The Council meets and shall continue to meet with the Registered Providers operating in Burnley to ensure they are actioning repairs and routine maintenance especially in relation to damp and mould.

The Council receives complaints from tenants living in social housing at a much-reduced scale when compared to the private rented sector. Upon receipt of the complaint the Council will contact the registered provider and request information in relation to the case. After a given period of time, relevant to the nature of the required remedial work, the Council will re-contact the tenant. If the remedial work has not been undertaken the Council will look to inspect the property under Part 1 of the Housing Act 2004 and take further action where necessary.

The Council is also working across all sectors through programmes that includes multi-agency meetings which are run jointly between the Council's Private Sector Housing Team and the Integrated Community Health Team. The meetings are held monthly to bring a range of professionals together to support the most vulnerable residents, raising awareness of the negative health impacts that poor housing conditions can have on residents and working together to address the issues that the households are facing.

### Home Improvement Agency

The Council operates a Home Improvement Agency (HIA) which supports in the main owner occupiers to remain living independently in their own homes. The HIA deliver grants to help deal with emergency repairs such as leaking roofs, damp and mould, dry rot etc., and has a focus on improving the energy efficiency of homes. The HIA also runs a handy person scheme to assist residents with smaller jobs to ensure that properties occupied by more vulnerable residents are well maintained.

### Cosy Homes in Lancashire (ChiL)

The Council is part of a consortium of Lancashire Authorities known as ChiL that deliver energy efficiency measures across all tenures and have successfully bid to BEIS for LAD1b, LAD2 and HUG funding.

### Stock modelling

The Council is in the process of procuring a stock modelling exercise, this will include an assessment of housing conditions and decency across the Borough.