

<b>DECISION-MAKER:</b>	SCRUTINY INQUIRY PANEL
<b>SUBJECT:</b>	THE CONDITION OF PRIVATE RENTED HOUSING
<b>DATE OF DECISION:</b>	18 JANUARY 2024
<b>REPORT OF:</b>	SCRUTINY MANAGER

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<b>STATEMENT OF CONFIDENTIALITY</b>
None

<b>BRIEF SUMMARY</b>
In accordance with the Inquiry Plan, at the third meeting of the inquiry the Panel will be considering the condition of private sector rented housing in Southampton.

<b>RECOMMENDATIONS:</b>
(i) The Panel is recommended to consider the comments made by the invited guests and use the information provided as evidence in the review.

<b>REASONS FOR REPORT RECOMMENDATIONS</b>
1. To enable the Panel to compile a file of evidence in order to formulate findings and recommendations at the end of the review process.

<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>
2. None.

<b>DETAIL (Including consultation carried out)</b>
<b><u>An overview of the condition of private rental property in England</u></b>
3. The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help councils identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales. There are 30 hazards, ranging from excess cold to structural collapse. Hazards are assessed as Category 1 or Category 2, with Category 1 being the most serious.
4. The English Housing Survey 2021 to 2022: private rented sector found <sup>1</sup> : <ul style="list-style-type: none"> <li>14% of private rented sector homes, or 615,000 occupied dwellings, are estimated to contain a Category 1 hazard under the HHSRS. This is</li> </ul>

<sup>1</sup> [English Housing Survey 2021 to 2022: private rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/english-housing-survey-2021-to-2022-private-rented-sector)

	<p>higher than for social rented (4%) or owner occupied (10%) homes and represents an increase of 50,000 compared to the previous year.</p> <ul style="list-style-type: none"> <li>• Within the private rented sector, households in receipt of housing support (19%) were more likely to live in a home with a Category 1 hazard than those not in receipt of housing support (12%).</li> <li>• The private rented sector had the highest proportion of non-decent homes (23%) while the social rented sector had the lowest (10%). Among owner occupied homes, 13% failed to meet the Decent Homes Standard which is a regulatory standard applied to the social rented sector.<sup>2</sup></li> <li>• Private rented homes were more likely to have damp than all other tenures. Almost 11% (465,000 dwellings) of private rented homes had dampness compared with 4% (177,000 dwellings) of social rented homes and 2% (262,000 dwellings) of owner-occupied homes.</li> </ul>
	<b>Energy efficiency</b>
5.	The English Housing Survey 2021 to 2022: private rented sector also contains details on energy efficiency levels across housing tenures. In 2021, most private renters lived in homes with an energy efficiency rating (EER) band of A to C (44%, 2 million) followed closely by band D (42%, 1.9 million). The remaining 14% (623,000) lived in homes with an EER band of E to G. <sup>3</sup>
6.	Similar proportions of private renters and owner occupiers lived in homes rated A to C, though private renters (14%), were more likely to live in the least energy efficient homes rated E to G than owner occupiers (10%). Private renters generally lived in poorer performing homes compared with social renters. Over one in ten homes in the private rented sector had an EER of E to G (14%) compared with just 3% of the social rented sector.
7.	In the private rented sector 4.9% of the properties fell into bands F and G in 2021. This is below the Minimum Energy Efficiency Standards (MEES) requirement for all properties to reach at least band E. This compares to 2.5% of the owner-occupied sector and just 0.7% of the social rented sector.
8.	This is a significant factor in the high prevalence of fuel poverty in the sector, with the most recent statistics suggesting that the private rented sector has the highest proportion of households deemed to be living in fuel poverty (24.1%), meaning that, despite the sector making up a much smaller proportion of homes in total, there are only marginally fewer fuel poor households in the private rented sector than the owner occupied sector (representing 36.6% of fuel poor households compared to 40.9%). <sup>4</sup>
9.	A report by the Institute for Fiscal Studies found that homes that were affordable for tenants relying on housing benefits had energy bills that were 20% higher than the wider private rented sector. <sup>5</sup>
10.	The Government has previously proposed raising the Minimum Energy Efficiency Standards (MEES) to ensure properties meet the requirements to achieve an Energy Performance Certificate Band C. This proposal was shelved

<sup>2</sup> [A decent home: definition and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/a-decent-home-definition-and-guidance)

<sup>3</sup> [English Housing Survey 2021 to 2022: private rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/english-housing-survey-2021-to-2022-private-rented-sector)

<sup>4</sup> [Annual Fuel Poverty Statistics LILEE Report 2023 \(2022 data\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/statistics/annual-fuel-poverty-statistics-lilee-report-2023-2022-data)

<sup>5</sup> [Housing quality and affordability for lower-income households | Institute for Fiscal Studies \(ifs.org.uk\)](https://ifs.org.uk/housing-quality-and-affordability-for-lower-income-households)


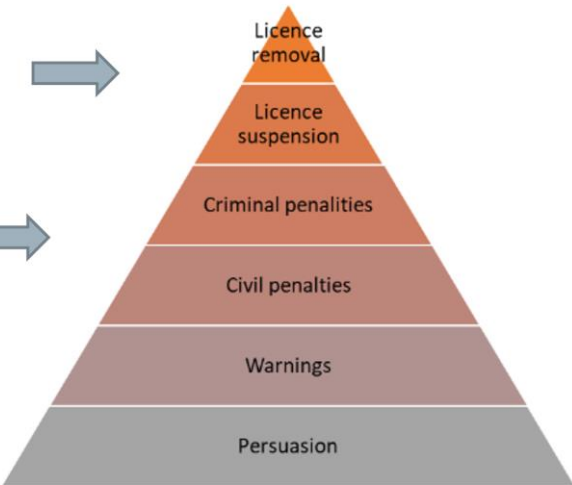
	in 2023. Research has suggested that making these changes could save renters an average of £570 per year. <sup>6</sup>
	<b><u>The impact of poor quality housing</u></b>
11.	Besides the aforementioned financial cost associated with heating energy inefficient properties, the Government's White Paper published in June 2022, 'A Fairer Private Rented Sector', links poor quality housing to undermining renters health and wellbeing, affecting educational attainment and productivity, and reducing pride in local areas. <sup>7</sup>
12.	The White Paper develops these points by identifying the following: <ul style="list-style-type: none"> <li>• Damp and cold homes can make people ill, and cause respiratory conditions. Children in cold homes are twice as likely to suffer from respiratory problems such as asthma and bronchitis.<sup>8</sup></li> <li>• Homes that overheat in hot summers similarly affect people's health. In the private rented sector alone, this costs the NHS around £340 million a year.<sup>9</sup></li> <li>• Illness, caused or exacerbated by living in a non-decent home, makes it harder for children to engage and achieve well in school, and adults are less productive at work.</li> <li>• Visibly dilapidated houses undermine pride in place and create the conditions for crime, drug-use, and antisocial behaviour.</li> </ul>
13.	Despite the risks associated with poor quality housing, there is currently no legal minimum standard that private rented properties in England must meet, unlike in the social housing sector. This means it is not illegal for a landlord to rent out a property with the most serious health hazards, though they must have an energy safety certificate.
14.	It only becomes an offence when the landlord fails to comply with enforcement action, but that requires the tenant to make a complaint to their local authority. Tenants may avoid reporting problems out of fear of eviction or their rent being increased.
	<b><u>Enforcement</u></b>
15.	The Department for Levelling Up, Housing and Communities (DLUHC) sets the overall policy for the private rented sector and oversees the regulatory framework.
16.	Local councils are responsible for regulating the private rented sector in their area and enforcing landlords legal obligations. Councils choose how they regulate based on local priorities and have a range of investigative and enforcement tools available.
17.	Legislation requires local authorities to: <ul style="list-style-type: none"> <li>• keep housing conditions (incl. overcrowding) under review</li> <li>• take enforcement action where a Category 1 hazard is identified.</li> </ul>

<sup>6</sup> [UK-Private-Rented-Sector-MEES\\_E3G-Briefing.pdf](#)

<sup>7</sup> [A fairer private rented sector print.pdf \(publishing.service.gov.uk\)](#)

<sup>8</sup> Quoted in [A fairer private rented sector print.pdf \(publishing.service.gov.uk\)](#) – source: Housing and the health of young children, National Children's Bureau, 2016

<sup>9</sup> Quoted in [A fairer private rented sector print.pdf \(publishing.service.gov.uk\)](#) – source: National Audit Office, Regulation of Private Renting 2021

18.	<p>To fulfil legal duties, local authority have wide enforcement powers including:</p> <ul style="list-style-type: none"> <li>• formal “deterrence-focused” regulation i.e. statutory notices, civil penalty notices (up to £30K fines), banning orders, criminal penalties, and rent repayment orders.</li> <li>• other approaches i.e. surveys, licencing, informal actions.</li> </ul> <p>Details of the enforcement powers available to local authorities can be accessed at paragraph 2.2 of the report published for the 16 November meeting of the Inquiry Panel - <a href="#">Appendix 2 - Briefing paper on local authority regulation of PRS.docx.pdf (southampton.gov.uk)</a>.</p>
19.	<p>In their presentation to the Inquiry Panel at the 16 November 2023 meeting, Expert Advisers to the Panel, Professor Helen Carr and Dr Mark Jordan, outlined what good local authority enforcement of the private rented sector looked like. This is represented in the graphic below.</p> <div style="text-align: right; margin-bottom: 10px;">  </div> <h3 style="text-align: center;">What does good enforcement look like?</h3> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="width: 40%;"> <p>Full use of licencing &amp; enforcement powers →</p> <p>Following lack of compliance, response should escalate to formal action →</p> <p>Advice, support as strategies of first choice →</p> </div> <div style="width: 50%; text-align: center;">  <p><i>Pyramid of responsive regulation – Harris et al (2020)</i> <span style="float: right;">19</span></p> </div> </div>
20.	<p>A study commissioned by DLUHC in 2021 to explore local authority enforcement in the private rented sector<sup>10</sup>, found that the powers and enforcement measures available to local authorities are valuable tools for tackling poor conditions in the private rented sector. However, the findings also identified that local authorities face significant barriers to tackling poor conditions, resulting in an uneven picture of enforcement.</p>
<p><b><u>Barriers to effective enforcement</u></b></p>	
21.	<p>The study commissioned for DLUHC identified a number of barriers to good enforcement by local authorities. These are summarised below.</p>
<p><b>Lack of meaningful data about private renting</b></p>	

<sup>10</sup> [Local authority enforcement in the private rented sector: headline report - GOV.UK \(www.gov.uk\)](#)

22.	Few local authorities participating in the study had sufficient, comprehensive knowledge of the local private rented stock to inform strategic decision making. Local authorities have a duty under Part 1 of the Housing Act 2004 to keep housing conditions under review and identify action needed, but local authorities were not always well informed about the private rented sector stock and only a small number carried out regular reviews of the stock.
	<b>Capacity of local enforcement teams</b>
23.	In the study there was a clear correlation between those working proactively, making use of the range enforcement tools and powers, and those with larger teams. The four most enforcement-led local authorities in the case study sample map directly onto the four local authorities with the largest teams.
24.	Enforcement teams are reliant on officers in other departments to progress certain aspects of their work (for example legal departments, revenue and benefits to pursue RROs, housing departments for management orders) and limited capacity in these teams was also found to limit what enforcement officers were able to do.
	<b>The experience and expertise of enforcement teams</b>
25.	The survey showed that local authorities that were most proactive in enforcement had teams comprised of highly experienced and qualified staff. These teams were also multi-disciplinary, including staff from other departments (trading standards, tenancy relations, legal) thereby enhancing the technical expertise overall.
	<b>Political will, strategic commitment and related support of legal teams</b>
26.	There was a clear correlation between local authorities with strategic or political commitment to improving private rented sector conditions through enforcement action, and those more operationally proactive in their efforts to do so. The support of senior managers and legal departments was found to be crucial to officers' ability to proactively enforce. These local authorities had explicit strategic commitment to tackling problems in the private rented sector, for example in their corporate strategy, and the link between strategic commitment and operational capacity was explicitly acknowledged
	<b>Issues relating to the legal framework</b>
27.	Various aspects of the legal framework were found to present challenges to local authorities in their efforts to enforce against poor standards. These include: <ul style="list-style-type: none"> <li>• The number and range of laws that officers have to understand and navigate.</li> <li>• 'Alignment' issues between legislation in different disciplines of relevance to enforcement.</li> <li>• Lack of clarity in some legislation about which local authority department has responsibility to take action.</li> <li>• Questions about whether the HHSRS was the most effective way of assessing and tackling poor standards.</li> <li>• Not having the right legislative tools for tenancy relations offences.</li> </ul>
28.	The study concluded that, with some notable exceptions and pockets of good practice, the barriers identified above, and other challenges, appear to leave many enforcement teams operating a reactive, rather than proactive service that

is focused on fulfilling statutory duties and targeting only the worst standard properties. Addressing these barriers is likely to result in increased and more effective action to improve conditions and standards in the private rented sector.

**What action has been taken or proposed to improve the condition of properties in the private rented sector? - National**

**Energy efficiency grant schemes**

29. To help improve energy efficiency levels within the private rented sector a patchwork of energy efficiency grant schemes has developed, with a variety of measures supported and differing eligibility criteria for renters and landlords. A brief overview of current schemes, provided by Generation Rent, is given below:

Scheme	Dates	Funding provided by	PRS eligibility (generally D-E and F-G with exemption)	Measures available for PRS	Landlord contribution
<b>Energy Company Obligation (ECO) 4</b>	April 2022 – March 2026	Energy suppliers via levy on consumer energy bills	Means-tested benefits or families with income below threshold; EPC E-G	Solid wall insulation or new heating system	Supplier's own policy
<b>ECO Flex</b>	October 2018 – March 2026	As above, but local authority (LA) referral. Statement of Intent needed from LA.	Considered by LA to be fuel poor, on low income or vulnerable	LA discretion	LA policy
<b>GB Insulation Scheme (formerly ECO+)</b>	Proposed for April 2023 – March 2026 <sup>11</sup>	Energy suppliers via levy on consumer energy bills	Council tax bands A-D or low income/ vulnerable households not eligible under ECO 4	Insulation (loft and cavity wall only if low income)	If solid wall and some other types of insulation installed
<b>Home Upgrade Grant (HUG) Phase 2</b>	April 2023 – March 2025	UK government	Households on less than £30k; off-gas grid properties	Insulation and heat pumps	At least a third of the total cost. Cap of 4 properties.
<b>Green Homes Grant Local Authority Delivery (LAD)</b>	August 2020 – June 2022	UK Government (Green Homes Grant)	Households on less than £30k; focus on EPC E-G	Insulation and low carbon heating	At least a third of the total cost

Source - [Energy-Efficiency-in-the-Private-Rented-Sector.pdf \(generationrent.org\)](#)

**Government regulation**

30. UK governments have introduced legislation that has greatly expanded the regulatory framework governing the private rented sector. Many of which are designed to improve safety and property conditions within the sector.

31. The Government's White Paper, 'A Fairer Private Rented Sector', outlines the following actions undertaken since 2015 to improve standards, compliance and enforcement in the private rented sector: <sup>11</sup>

<sup>11</sup> [A fairer private rented sector print.pdf \(publishing.service.gov.uk\)](#)



	<ul style="list-style-type: none"> <li>• Passed regulations in 2015 requiring private landlords to provide smoke detectors and carbon monoxide detectors in all relevant properties.</li> <li>• Introduced legislation requiring properties to be fit for human habitation. The Homes (Fitness for Human Habitation) Act 2018 states that landlords must not let out homes with serious hazards that mean the dwelling is not suitable for occupation in that condition.</li> <li>• Require privately rented properties to meet a minimum energy efficiency standard of EPC E, since 2020, to make it easier for renters to keep their homes warm, while supporting aims to make housing more efficient.</li> <li>• Introduced regulations in 2020 to require landlords to carry out electrical safety checks every five years.</li> <li>• Introduced civil penalties of up to £30,000, Banning Orders and a database of rogue landlords and agents through the Housing and Planning Act 2016.</li> <li>• Extended Rent Repayment Orders to cover more offences through the Housing and Planning Act 2016.</li> <li>• Reformed HMO (House in Multiple Occupation) licensing in 2018 to include all properties occupied by five or more persons in two separate households and introduced mandatory minimum room sizes.</li> </ul>
	<b>Renters (Reform) Bill</b>
32.	The Renters (Reform) Bill is currently working its way through Parliament <sup>12</sup> and will legislate for reforms set out in the private rented sector white paper published in June 2022.
33.	A key target within the White Paper is to reduce the number of non-decent rented homes by 50% by 2030. The Renters (Reform) Bill includes a number of proposals designed to help meet this target, including:
34.	<b>Decent Homes Standard in the private rented sector</b> - The Decent Homes Standard is a regulatory standard in the Social Rented Sector but there is no requirement for private rented sector properties to meet any standard of decency. The Renters (Reform) Bill includes a legislative duty on private landlords to meet the Decent Homes Standard, stipulating what tenants should expect from their home, ensuring it is safe, warm and decent. It is hoped that this will raise standards and make sure that all landlords manage their properties effectively, rather than waiting for a renter to complain or a local council to take enforcement action.
35.	<b>Property Portal</b> - A new digital Property Portal will provide a single ‘front door’ to help landlords understand, and demonstrate compliance with, their legal requirements. Landlords will be legally required to register their property on the portal. It is perceived that the Property Portal will increase local councils’ ability to enforce against criminal landlords and it will build on the existing database of Rogue Landlords.
36.	<b>Stronger enforcement powers for local councils</b> - Local authorities will be given new enforcement powers to require landlords to make properties decent, with fines up to £30,000 or a banning order in the worse cases. Tenants will also

<sup>12</sup> [Renters \(Reform\) Bill - Parliamentary Bills - UK Parliament](#)

	be able to claim up to 24 months rent back through rent repayment orders up from 12 previously.
37.	Councils will also be given stronger powers to investigate landlords who rent substandard homes, providing them with tools to identify and take enforcement action against the criminal minority.
38.	However, with additional powers, and the removal of some of the identified barriers, the Government expects councils to prioritise private rented sector enforcement and the Renters (Reform) Bill includes a duty that local housing authorities shall 'enforce the landlord legislation in its area'. National oversight of local councils enforcement is expected to be bolstered, including by exploring requirements for councils to report on their housing enforcement activity.
	<b><u>What action has been taken or proposed to improve the condition of properties in the private rented sector? - Local</u></b>
39.	As identified by the DLUHC commissioned study <sup>13</sup> , notable exceptions and pockets of good practice exist within local authorities and a number of councils are proactively using the range of informal and formal powers available to them to tackle poor conditions in the private rented sector.
	<b>The Leeds Rental Standard</b>
40.	The <a href="#">Leeds Rental Standard</a> is a badge developed by Leeds City Council that: <ul style="list-style-type: none"> <li>• Establishes an overarching minimum standard for privately rented accommodation across the city</li> <li>• Aims to bring unity to accreditation</li> <li>• Raises the standards in professional and student lets in the city.</li> </ul>
41.	The Leeds Rental Standard operates under the following existing schemes: <ul style="list-style-type: none"> <li>• <a href="#">National Residential Landlords Association Accreditation Scheme</a></li> <li>• <a href="#">Unipol Code (unipol.org.uk)</a></li> <li>• <a href="#">ANUK / Unipol National Code (for larger student developments)</a></li> </ul>
42.	Leeds City Council supports and partly funds the Leeds Rental Standard scheme in partnership with the other accrediting organisations - Unipol Student Homes and the National Residential Landlords Association.
43.	Leeds City Council want the Leeds Rental Standard to result in lighter touch regulation allowing the local authority to concentrate their regulatory resources on those that showed no sign of meeting standards voluntarily.
44.	By joining a recognised accreditation scheme and becoming a member of The Leeds Rental Standard landlords that have a licensable property, either through Mandatory Licensing or the Selective Licensing Schemes in Leeds, can get £150 off their license by becoming accredited.
45.	Tenants can access a centralised complaints system operated by Unipol for all tenants no matter what scheme covers the property or landlord. All complaints go to a professional complaints handler who will assist with a resolution to any dispute covered by the scheme.

<sup>13</sup> [Local authority enforcement in the private rented sector: headline report - GOV.UK \(www.gov.uk\)](#)



<b>Additional and Selective Licensing Schemes</b>	
46.	In England and Wales a national mandatory licensing scheme of larger Houses in Multiple Occupation (HMOs) exists. The scheme targets privately rented properties with five or more unrelated people, living together, and sharing some facilities including kitchens and bathrooms.
47.	Under the Housing Act 2004 <sup>14</sup> the local authority also has the powers to introduce two other types of property licensing – <b>additional licensing</b> for smaller HMOs, or <b>selective licensing</b> for other types of privately rented accommodation including properties rented to individuals, couples, or families.
48.	The Housing Act gives powers to the local authority to designate areas, or the whole city, as subject to additional licensing in respect to HMOs that are not already subject to mandatory licensing.
49.	Under section 56(2) of the Act, before introducing additional licensing, the local authority must be confident that a significant number of HMOs, that would come under the scheme, are not being managed effectively, resulting in one or more problems either for tenants or for members of the public.
50.	Section 80 of the Housing Act gives powers to the local authority to apply selective licensing to areas, or the whole city, provided one or more of the following conditions are met: <ul style="list-style-type: none"> <li>• Low housing demand</li> <li>• A significant and persistent problem caused by anti-social behaviour</li> <li>• Poor housing conditions</li> <li>• High levels of migration</li> <li>• High levels of deprivation</li> <li>• High levels of crime.</li> </ul>
51.	Areas subject to selective licensing would be inspected during the licensing period to assess their condition. Where poor conditions are found, action can be taken to identify and rectify issues, and where appropriate, using relevant enforcement powers, bring these properties up to the licensing standards.
52.	The Housing Act sets a maximum threshold for selective licensing of either 20% of the geographic area or 20% of privately rented homes. If the 20% threshold is exceeded, an application to the Secretary of State is required.
<b>Selective Licensing in Nottingham<sup>15</sup></b>	
53.	Nottingham City Council’s Selective Licensing scheme began in August 2018 and is aimed at tackling poor property conditions, high levels of antisocial behaviour, crime, and deprivation. To date, the Council’s team of 75 officers has received over 29,000 applications. The provision of advice to licence holders and compliance inspections led to approximately 25% of properties being improved.
54.	The Council has also had success in finding unlicensed properties and taking enforcement action against owners who don’t comply. They have issued 47 Civil Penalty Notices and 13 landlords have been prosecuted for 49 offences at 30

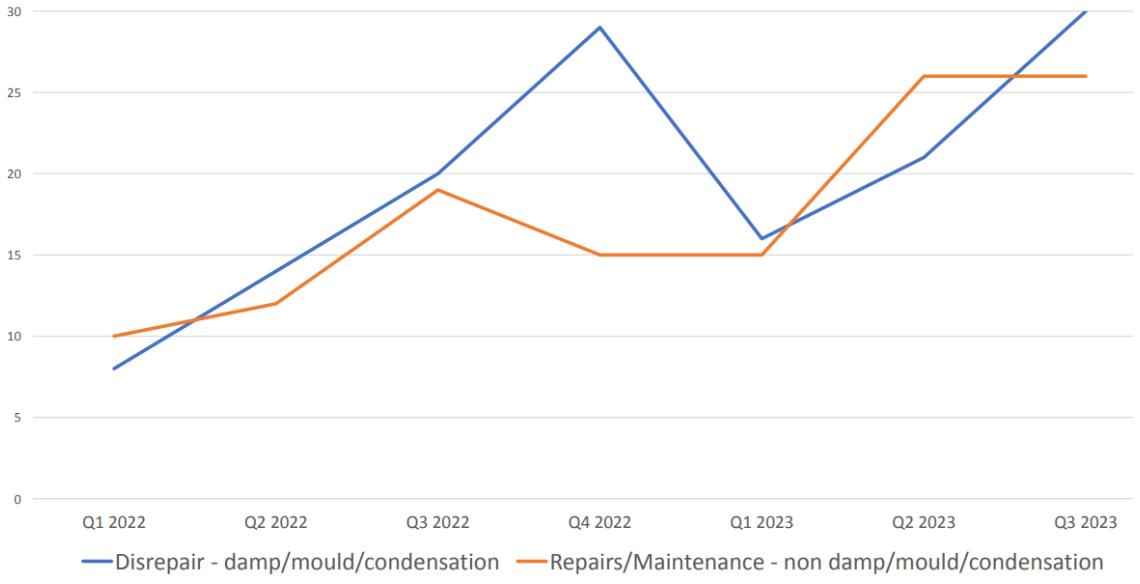
<sup>14</sup> [The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation \(England\) General Approval 2015 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/271242/the-housing-act-2004-licensing-of-houses-in-multiple-occupation-and-selective-licensing-of-other-residential-accommodation-england-general-approval-2015.pdf)

<sup>15</sup> Case study included in [A fairer private rented sector print.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/271242/a-fairer-private-rented-sector-print.pdf) – p51

	properties, 27 of these relate to Selective Licensing. This has helped the team to secure 1,305 licence applications from previously unlicensed properties. The scheme also led to a reduction in the proportion of privately rented homes with EPC energy rating below 'D' from 25.9% to 15.6%.																														
55.	To support landlords, the Council also offers a lower Selective Licence fee for accredited landlords through partners Decent and Safe Homes (DASH) and Unipol. This has seen the number of accredited landlords rise from 650 to 1,715 (January 2022). Approximately a third of all individually licensed properties are now accredited, with these landlords letting over 8,300 properties (January 2022), up from 3,917 in 2018.																														
56.	Results from the survey commissioned by DLUHC in 2021 <sup>16</sup> suggested that selective licensing is not widespread, with 88% of survey respondents reporting no selective licensing areas. Selective licensing was reported by case study local authorities to be essential to efforts to tackle poor standards, with one authority going as far as to suggest that 'I don't think we have the tools without licensing'. Selecting licensing is not appropriate for local authorities where problems are not concentrated, but a sizeable minority of case study local authorities reported that selective licensing would help them tackle poor standards but had not been pursued.																														
	<b><u>An overview of the condition of private rental property in Southampton</u></b>																														
57.	Analysis of Southampton's Tenants Survey <sup>17</sup> , conducted in October 2023, identified that over half (59%) of respondents said that they had experienced issues with repairs or maintenance with their landlord.																														
58.	<p>Respondents were also asked if they have ever reported problems about the condition of their home to their landlord. The response is identified below:</p> <table border="1"> <thead> <tr> <th>Issue</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Damp/mould</td> <td>48%</td> </tr> <tr> <td>Plumbing issues</td> <td>43%</td> </tr> <tr> <td>General/continuous state of disrepair</td> <td>37%</td> </tr> <tr> <td>Broken boiler</td> <td>30%</td> </tr> <tr> <td>Poor insulation (e.g. windows, walls)</td> <td>25%</td> </tr> <tr> <td>Broken windows (e.g. broken glass, closing mechanism)</td> <td>23%</td> </tr> <tr> <td>Roof issues (e.g. leaks)</td> <td>21%</td> </tr> <tr> <td>Poor ventilation</td> <td>20%</td> </tr> <tr> <td>Poor quality heating (e.g. old storage heaters)</td> <td>19%</td> </tr> <tr> <td>Not reported any of these</td> <td>17%</td> </tr> <tr> <td>Insect infestation</td> <td>12%</td> </tr> <tr> <td>Unsafe/exposed wiring</td> <td>10%</td> </tr> <tr> <td>Leaking radiators</td> <td>7%</td> </tr> <tr> <td>Other</td> <td>7%</td> </tr> </tbody> </table> <p><b>Key findings</b></p> <ul style="list-style-type: none"> <li>Just under half (48%) of respondents have reported issues with damp or mould to their landlord</li> <li>17% of respondents did not report any of the listed issues to their landlord</li> </ul> <p>Source – <a href="#">Southampton Private Rented Sector Survey</a></p>	Issue	Percentage	Damp/mould	48%	Plumbing issues	43%	General/continuous state of disrepair	37%	Broken boiler	30%	Poor insulation (e.g. windows, walls)	25%	Broken windows (e.g. broken glass, closing mechanism)	23%	Roof issues (e.g. leaks)	21%	Poor ventilation	20%	Poor quality heating (e.g. old storage heaters)	19%	Not reported any of these	17%	Insect infestation	12%	Unsafe/exposed wiring	10%	Leaking radiators	7%	Other	7%
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<sup>16</sup> [Local authority enforcement in the private rented sector: headline report - GOV.UK \(www.gov.uk\)](#)

<sup>17</sup> [Southampton Private Rented Sector Tenants Survey](#)

59.	Of those who reponded, 83% have reported issues about the condition of the property to their landlord. Damp or mould (48%), plumbing issues (43%) and general state of disrepair (37%) were the 3 most commonly reported problems.																								
60.	The condition of properties within the private rented sector was also raised by Kirsty Rowlinson from Citizen’s Advice Southampton at the 21 December Inquiry Panel meeting.																								
61.	Analysis of their casework identified that disrepair, particularly damp and mould is a common issue. Feedback noted that, unsurprisingly, it is increasing as cost of living issues rise. Tenants can’t afford to keep their properties warm, which increases damp and mould issues, and landlords sometimes can’t afford to undertake repairs.																								
62.	<p>The chart below shows the rise in Citizen’s Advice Southampton casework related to disrepair since Quarter 1 2022<sup>18</sup>:</p>  <table border="1" data-bbox="304 757 1449 1339"> <caption>Citizen’s Advice Southampton casework related to disrepair (Quarter 1 2022 to Quarter 3 2023)</caption> <thead> <tr> <th>Quarter</th> <th>Disrepair - damp/mould/condensation</th> <th>Repairs/Maintenance - non damp/mould/condensation</th> </tr> </thead> <tbody> <tr> <td>Q1 2022</td> <td>8</td> <td>10</td> </tr> <tr> <td>Q2 2022</td> <td>15</td> <td>12</td> </tr> <tr> <td>Q3 2022</td> <td>20</td> <td>19</td> </tr> <tr> <td>Q4 2022</td> <td>29</td> <td>15</td> </tr> <tr> <td>Q1 2023</td> <td>16</td> <td>15</td> </tr> <tr> <td>Q2 2023</td> <td>21</td> <td>26</td> </tr> <tr> <td>Q3 2023</td> <td>30</td> <td>26</td> </tr> </tbody> </table>	Quarter	Disrepair - damp/mould/condensation	Repairs/Maintenance - non damp/mould/condensation	Q1 2022	8	10	Q2 2022	15	12	Q3 2022	20	19	Q4 2022	29	15	Q1 2023	16	15	Q2 2023	21	26	Q3 2023	30	26
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63.	At the inaugural meeting of the inquiry, Southampton City Council’s Service Manager for Private Sector Housing, informed the Panel that the Private Sector Housing Service receives around 500 service requests per year relating to disrepair. Issues include, damp and mould, excess cold, leaks and lack of fire detection.																								
64.	Demand for the service is very high and always increases during the colder months, generally due to heating related issues and damp or mould.																								
	<b><u>What action has been taken or proposed to improve the condition of properties in the private rented sector? - Southampton</u></b>																								
	<b>SASSH - Southampton Accreditation Scheme for Student Housing</b>																								
65.	The scheme is run in partnership between the University of Southampton, Southampton Solent University and Southampton City Council. The purpose of the scheme is to ensure that students have access to a supply of high quality, safe accommodation that is well managed.																								

<sup>18</sup> [Citizens Advice Southampton presentation to 21/12/23 Inquiry Panel meeting](#)

66.	To advertise a property through the scheme, a landlord must declare that the property meets the required SASSH standards. This is a self-accreditation scheme and relies on landlords making accurate assessments of their property against the SASSH standards.
	<b>National Residential Landlords Association (NRLA) / iHOWZ Accreditation Schemes</b>
67.	In addition to the student focused SASSH Scheme, the NRLA and iHOWZ, both of which are represented in Southampton, run accreditation schemes. Accredited landlord members are able to demonstrate their knowledge, training, skills and intentions to manage properties and tenancies in line with best practice, helping build their reputation with tenants and Local Authorities.
	<b>HMO Licensing and Additional Licensing Scheme</b>
68.	At the 16 November meeting of the Inquiry Panel, Southampton City Council's Private Sector Housing Manager referred to the Council's HMO Licensing and Additional Licensing Scheme.
69.	There are approximately 6,000-7,000 HMOs in the city. The Council has a statutory duty to licence all HMOs occupied by five or more persons in two or more separate households.
70.	In the city we have approximately 2,500 of these Mandatory HMOs, which require licensing every five years. All licensed HMOs must meet certain conditions concerning safety and amenities and be properly managed so as to ensure that they do not impact negatively on the local neighbourhood. Failure to licence and failure to comply with conditions are offences which can result in enforcement.
71.	Southampton City Council has also operated additional HMO licensing schemes in certain wards within the city. Additional licensing schemes allow SCC to licence smaller HMOs, and 'cluster flats within purpose-built student blocks not captured by the Mandatory scheme.
72.	Schemes have covered the four central wards of Bevois, Bargate, Portswood and Swaythling and also the western wards of Shirley, Freemantle, Bassett and Millbrook.
73.	Additional licensing schemes have captured another 2,500 HMOs across the city. These schemes can only run for five years and run on a 'cost recovery' basis. The most recent scheme covering the central wards ended on September 30 <sup>th</sup> 2023.
74.	The HMO Licensing and Additional Licensing Schemes will be considered in detail, alongside the Council's approach to enforcement, at the 15 February meeting of the Inquiry Panel.
	<b>Energy Efficiency Programmes</b>
75.	The Council, with partners, have supported a number of programmes designed to improve the energy efficiency of homes within the private rented sector in Southampton. An overview of these initiatives will be presented at the meeting. The Council's current <a href="#">Forward Plan</a> of key decisions includes the procurement of a new contract to provide an affordable warmth delivery programme from 2024-2029 called Southampton Healthy Homes.

	<b>Invited Guests</b>
76.	<p>To provide context to the information above, a number of guests have been invited to present at the third meeting of the inquiry:</p> <ul style="list-style-type: none"> <li>• <b>Cllr Shaban Mohammed - Cabinet Member for Housing Management and Modernisation; Housing Needs, Homelessness and Private Rented Sector at the London Borough of Newham</b></li> <li>• <b>Helen Masterson - Head of Private Sector Housing Standards, London Borough of Newham</b></li> </ul> <p>Cllr Mohammed and Helen Masterson have been invited to discuss Newham’s selective licensing scheme. The scheme was approved by the Minister for Housing and Homelessness in December 2022 on the basis of housing conditions, significant and persistent anti-social behaviour and high levels of deprivation.</p> <ul style="list-style-type: none"> <li>• <b>Adam Goulden – Chief Executive, the Environment Centre</b></li> </ul> <p>To provide context to the statistics outlined in this report, the Chief Executive of <a href="#">the Environment Centre</a> has been asked to provide an insight into the condition of private rented accommodation in Southampton and to outline the Environment Centre’s work, with landlords and tenants, in support of improved conditions in the private rented sector.</p> <ul style="list-style-type: none"> <li>• <b>Southampton Tenants Union</b></li> </ul> <p>At the 18 January meeting the Tenants Union have been asked to provide a tenants perspective on the condition of rental property in Southampton.</p> <ul style="list-style-type: none"> <li>• <b>Representatives from Landlord Organisations</b></li> </ul> <p>Liz Mackenzie, Regional Representative from the NRLA, Sam Watkins, Senior Policy Officer at the NRLA and Peter Littlewood, Chief Executive Officer at iHOWZ have been asked to provide the Panel with a landlords perspective on the condition of private rented accommodation in Southampton.</p> <ul style="list-style-type: none"> <li>• <b>Ros Lyon - Head of Occupancy and Residential Customer Services, University of Southampton</b></li> </ul> <p>Ros Lyon has been invited to inform the Panel about SASSH (Southampton Accreditation Scheme for Student Housing) and proposals to improve the scheme.</p> <ul style="list-style-type: none"> <li>• <b>Professor Helen Carr and Dr Mark Jordan from the <a href="#">People, Property and Community Research Centre, Southampton Law School, University of Southampton</a></b></li> </ul> <p>Expert Advisers to the Panel, Professor Carr and Dr Jordan, will provide an overview of legislation relating to the condition of rental properties and examples of approaches being applied, or considered, elsewhere to improve housing conditions in the private sector.</p>

77.	The invited guests will take questions from the Panel relating to the evidence provided. Copies of any presentations will be made available to the Panel and will be published on the Inquiry Panel's pages on the Council website:  <a href="#">Browse meetings - Scrutiny Inquiry Panel - How do we get a better deal for private sector renters in Southampton?   Southampton City Council.</a>
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**RESOURCE IMPLICATIONS**

**Capital/Revenue/Property/Other**

78. Resources to support the scrutiny review will come from existing budgets.

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

79. The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

**Other Legal Implications:**

80. None

**RISK MANAGEMENT IMPLICATIONS**

81. None

**POLICY FRAMEWORK IMPLICATIONS**

82. None

<b>KEY DECISION?</b>	No
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<b>WARDS/COMMUNITIES AFFECTED:</b>	None
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**SUPPORTING DOCUMENTATION**

**Appendices**

1. None

**Documents In Members' Rooms**

1. None

**Equality Impact Assessment**

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out?	No
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**Data Protection Impact Assessment**

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	No
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**Other Background Documents**

**Other Background documents available for inspection at:**

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential</b>
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1. None