

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET HOUSING PANEL - 13 MARCH 2023  
REPORT OF THE SERVICE DIRECTOR (RESIDENT & NEIGHBOURHOOD)

**PROGRESS REPORT ON THE PRIVATE SECTOR HOUSING TEAM AND THE PARTNERSHIP ACCREDITATION FOR LANDLORDS ('PAL') SCHEME**

**1 Executive Summary**

- 1.1 On a national scale, the private rented sector is the fastest growing tenure type, having more than doubled in size in the last decade. This growth, alongside the gradual decline of social rented stock nationally due to policies such as the 'Right to Buy', means that private renting is increasingly becoming the primary option for addressing housing need across the country.
- 1.2 The Private Sector Housing Team (PSHT) sits under the Resident & Neighbourhood directorate and its main focus is to ensure that people in the private rented sector live in safe and decent homes.
- 1.3 The team have the following remit:
- Regulation (inspections, advice and enforcement) of the Private Rented Sector (PRS) landlords and property standards.
  - Licensing of Mandatory Houses in Multiple Occupation.
  - Interventions for owner occupied properties where there are category 1 hazards, and high category 2 hazards.
  - Provision of mandatory and discretionary grants through the Private Sector Housing Assistance Policy.
  - Prevention of illegal evictions or harassment
  - Enforcing energy efficiency standards
  - Manage the Landlord Accreditation Scheme, PAL (Partnership Accreditation for Landlords).
- 1.4 The PAL service is now in its 10<sup>th</sup> year and has recently had it's funding from the University of Hertfordshire increased to £30,000 annually. There will be regular meetings and discussions with the University to ensure best use of this additional funding.
- 1.5 The PAL service has expanded. PAL is now assisting Stevenage Against Domestic Abuse (SADA) in providing properties for their facility, engaging with a new Partner Agency and accrediting the University's own on-campus accommodation.
- 1.6 The Private Sector Housing Team has had several recent successes:
- A Banning order against a rogue letting agent that resulted in a 2-year ban England-wide.

- Civil Penalty cases totalling £52k (these fines are reinvested into the service).
- Enforcement and education of landlords, tenants, and agents alike to ensure the residents of Welwyn Hatfield are in safe, secure homes.
- Carrying out Homes for Ukraine property inspections in addition to their workload to ensure refugees fleeing the war in Ukraine are provided with safe accommodation.

1.6 The Private Sector Housing Team have enhanced our approach towards damp and mould in privately rented property as a result of the tragic death of Awaab Ishak in Rochdale, who died because of prolonged exposure to mould in his home.

## **2 Recommendation(s)**

To acknowledge the recent work carried out by the team to improve outcomes for private tenants in the borough.

## **3 Explanation**

3.1 The Private Sector Housing Team (PSHT) achieves their remit by a combination of advice, inspection and enforcement of the relevant legal standards on matters such as, but not limited to, fire and electrical safety, disrepair and energy efficiency in rented homes, including HMO's and mobile homes.

3.2 The Partnership Accreditation for Landlords (PAL) scheme is run in partnership with the University of Hertfordshire and contributes greatly to the advice and education of landlords and tenants in the private rented sector.

3.3 This year, the team have delivered a number of very successful outcomes and have achieved the following:

- a) Won several First Tier and Upper Tier appeals against Civil Penalty Notices served on non-compliant and rogue landlords and agents.
- b) Achieved the teams' first simple caution of a landlord who was attempting to illegally evict tenants (a simple caution is an alternative to prosecution where the offender admits the offence).
- c) Dealing with the influx of hosts for the 'Homes for Ukraine' scheme, where residents of Welwyn Hatfield have opened their homes to shelter Ukrainian refugees. To date we have carried out 98 inspections.
- d) Presented a successful PAL landlord forum at the University of Hertfordshire with speakers from the National Residential Landlord's Association (NRLA) and University, plus special guest speaker Paul Shamplina from Landlord Action.
- e) Our first Banning Order was obtained for a Hatfield Letting agent who is now no longer allowed to engage in any form of property lettings for 2 years across the whole of England.
- f) Officers have carried out Emergency Remedial Action on properties to rectify immediate hazards, the most recent being for electrical safety where the whole building had to be prohibited before being able to make it safe for the occupiers.

- g) The PAL service was represented at both the International Student fair and Freshers Fair at the University of Hertfordshire. The PAL service and the Team were promoted, and our presence reached a large number of students so that they know who to contact in case of any housing issues.
- h) PAL will be adding a new PAL partner agent in the new year with a large portfolio, which will increase our reach to residents looking to rent properties.
- i) The team have seen a significant uptake in our discretionary grants since the new Housing Assistance Policy was discussed at the Cabinet Housing Panel. A previous report on this was presented to Cabinet in September, but the Cost-of-Living Crisis has pushed people to seek out the Council to assist them with matters that they would ordinarily be able to do themselves.
- j) The discretionary grants range from Home Safety Grants to Hospital Discharge Grants, and all have been promoted via Herts Help and the Herts NHS Trust, who are enabling us to support wider and to those hard-to-reach sectors of the population.
- k) We have been assisting people where boilers have broken down and they are unable to afford a replacement, the installation of handrails, carpets, and small repairs to fixtures and fittings that make a difference to people's lives, enabling them to live safely in their own home.
- l) Large expenditure grants have been approved out of the Better Care fund to assist those in need. The latest one was a funding contribution towards the YMCA Peartree Project which will assist WHBC in getting vulnerable people off the streets and into safe accommodation.
- m) The team continue to evaluate new and existing high-rise blocks in the Borough to ensure that they are either still outside the scope of the Building Safety Bill or, if they are in scope, taking the necessary steps to remedy any fire safety issues.
- n) As a result of the tragic death of Awaab Ishak, we have seen an increase in the number of Damp and Mould cases reported to us. We are taking each case seriously and are prioritising those cases to ensure the wellbeing of the occupants.
- o) The team have been an integral part of the internal officers' Damp and Mould Task group, that has been set up following recent events, and has provided training in the Housing Health and Safety Rating System (HHSRS) for Council Surveyors. We have also worked with council housing colleagues to update our website and leaflet content regarding Damp and Mould.
- p) We continue to work with Housing Associations and Private Landlords to educate them of the symptoms of Damp and Mould
- q) We have submitted data as requested to the Department of Levelling Up, Communities and Local Government. These requests concerned

the prevalence of damp and mould in the private rented sector in the borough and our approach towards it.

- r) The team continue to provide informal and formal education and enforcement over and above the points listed above.

#### **Implications**

#### **4 Legal Implication(s)**

- 4.1 The Council has a statutory duty to act to ensure all private homes within the borough are safe from category 1 hazards, and that all HMO's that are required to be licenced are.
- 4.2 The Council also has the power, under Article 3 of the Regulatory Reform (Housing assistance) (England and Wales) Order 2002 ("the Order") to provide financial assistance for the purpose of improving living conditions in their area. In this regard we provide discretionary grants through our Housing Assistance Policy.

#### **5 Financial Implication(s)**

- 5.1 Failure to actively regulate the private rented sector could result in unsafe conditions for tenants and a serious loss of stability and homes for private sector tenancies.
- 5.2 Failure to regulate the private rented sector would also result in a loss of income from both Mandatory HMO Licensing fees and from the service of Civil Penalty Notices (fines) issued to non-compliant and rogue Landlords. These fees and fines contribute towards the cost of providing the service
- 5.3 The regulations allow for the recovery of any associated costs of taking urgent and non-urgent remedial action, based upon an assessment of officer time, actual costs of work undertaken, and any other overheads incurred in taking the action. This helps contribute towards the cost of the service provided by the private rented housing team.

#### **6 Risk Management Implications**

- 6.1 The risks related to this report are:

The risks associated with not delivering these services appropriately would have implications on the health and safety of private tenants and on residents and present a potential risk to the Council's reputation and legal challenge.
- 6.2 There must be sufficient funds to cover the demand for DFGs in the Private Sector. The current budget is considered to be more than sufficient to meet the demand for DFGs even if there is an increase in demand. This is based on the trend in demand over the last three years with a tolerance for increased demand.

#### **7 Security and Terrorism Implication(s)**

- 7.1 None.

#### **8 Procurement Implication(s)**

8.1 None.

**9 Climate Change Implication(s)**

9.1 Part of the work of the team includes ensure that properties with an EPC rating of less than E (eg F and G) are not privately rented in accordance with the legislation. This contributes to the climate change agenda as properties of EPC rating F and G are not considered sufficiently energy efficient.

**10 Human Resources Implication(s)**

10.1 The services listed above are provided within the existing resources of the Private Rented Sector Housing Team.

**11 Health and Wellbeing Implication(s)**

11.1 Tackling poor an unsafe housing conditions in the Private Rented Sector will contribute towards the Council's vision of the health of the residents of WHBC. Housing is a determinant of health. In order to ensure that each resident of WHBC has an equal life chance and a life expectancy to reflect that of the national average, the Council needs to utilise all legal and enforcement options available to drive standards up within the Private Rented Sector.

**12 Communication and Engagement Implication(s)**

12.1 The service provides regular updates to the Communications team regarding outcomes and successes in dealing with non-compliant and rogue landlords.

12.2 The service also has regular liaison meetings with internal departments and external partner agencies such as the Police, Herts fire and rescue, and Herts County Council.

**13 Link to Corporate Priorities**

13.1 The subject of this report is linked to the Council's Corporate Priority 'Quality Homes through managed growth' and specifically to the commitment 'we will provide high quality housing, thriving neighbourhoods and sustainable communities.

**14 Equality and Diversity**

14.1 An Equalities Impact Assessment has previously been produced for the delivery of the work of the Private Rented Sector Housing Team and so is not required for the subject of this report.

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Background papers - Not applicable