Regulating the Private Rented Sector in York, North Yorkshire and the East Riding

Working together, to improve and make a difference
WHY BOTHER TO REGULATE THE PRIVATE RENTED SECTOR IN NORTH YORKSHIRE

Working together, to improve and make a difference
Ryedale
Harrogate
Craven
East Riding of Yorkshire
The Person or Persons who
Turned the Switch on for the
hearing please do not do it again.
It is now British Summer time.
If you need to live in a warmer
Climate, move abroad.
If this happens again you will be
asked to leave.
What are the main hazards

• HHSRS - what does this stand for?
• Which one is the most common hazard and has the greatest impact on the health of the occupant?
  • Fire
  • Falls on the stair
  • Damp and Mould
  • Cold homes
  • Electrical safety
Tenure BY LA
The Private Rented Sector – facts and figures

• Nationally more people now rent privately (20%) than live in the social housing sector (17%)
• Scarborough 21% in PRS and 13% in Social Housing
• Harrogate 18% in PRS and 9.4% Social Housing
• York 18% in PRS 14% Social Housing
• ERYC in 13.5% in PRS 9.2% Social Housing

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Strategic Approach

- Evidence Base – most recent Building Research Establishment

<table>
<thead>
<tr>
<th>Indicator</th>
<th>All stock</th>
<th>Private sector stock</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>York (no.)</td>
<td>York (%)</td>
</tr>
<tr>
<td></td>
<td>2011 EHS Regional (%)</td>
<td>2011 EHS England (%)</td>
</tr>
<tr>
<td></td>
<td>York (no.)</td>
<td>York (%)</td>
</tr>
<tr>
<td></td>
<td>2011 EHS Regional (%)</td>
<td>2011 EHS England (%)</td>
</tr>
<tr>
<td>No. of dwellings</td>
<td>87,507</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>74,905</td>
<td>-</td>
</tr>
<tr>
<td>HHSRS category 1 hazards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All hazards</td>
<td>12,434</td>
<td>14%</td>
</tr>
<tr>
<td></td>
<td>11,444</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>3,289</td>
<td>4%</td>
</tr>
<tr>
<td></td>
<td>3,020</td>
<td>4%</td>
</tr>
<tr>
<td>Excess cold</td>
<td>8,355</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>7,846</td>
<td>10%</td>
</tr>
<tr>
<td>Fall hazards</td>
<td>5,114</td>
<td>6%</td>
</tr>
<tr>
<td></td>
<td>4,376</td>
<td>6%</td>
</tr>
<tr>
<td>Disrepair</td>
<td>12,951</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>11,317</td>
<td>15%</td>
</tr>
<tr>
<td>Fuel poverty (10%)</td>
<td>7,851</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>6,896</td>
<td>9%</td>
</tr>
<tr>
<td>Fuel poverty (Low Income High Costs)</td>
<td>24,536</td>
<td>28%</td>
</tr>
</tbody>
</table>
Approaches

• Respond to individual complaints from private rented sector

• Proactive Approaches - Licensing of the sector

• Supporting the sector – Accreditation schemes Good Landlord Awards/Training

• Regulating letting agents

Working together, to improve and make a difference
Responding to individual complaints

- Enforcement Policy
- We can serve on a landlord and or agent
  - Hazard awareness notice
  - Improvement notice
  - Prohibition order
  - Demolition order

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Non-Compliance with Notice

Have regard to Enforcement Policy

• Prosecution
  and/or
• Works in default

We can now also serve a civil penalty notice

Introduced by CYC, 16th October 2016 - £30k fine

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Fine level

- £23,375.00 (would have a 1/3 off if they had paid early and completed the work)
Mandatory Licensing/Houses in Multiple Occupation

• Any property with 3 or more residents who make up 2 or more households is classed as an HMO

• Any HMO with 5 or more residents who make up 2 or more households and has 3 storeys or more must be licensed with the local authority

• From 1st October 2018 any property which has more than 5 occupants must be licensed
Letting Agents – Consumer Rights Act 2015

• Nationally there are issues with poor advertising of fees
• Policy adopted by CYC on 25\textsuperscript{th} August 2015
• September to November 2015 – Programme to ensure that agents were aware and completed confirmation sheet
• Series of compliance visits between July 2016 and Feb 2017 to the 47 agents
Letting Agents – Consumer Rights Act 2015

• Compliance checks resulted in civil penalty notices being issued to letting agents
• Resulted in 16 fines being paid ranging from £312.50 to £5,000.
• Six appeals to the First Tier (GRC) tribunal – all found in our favour – judgements on their website
This Year

• Along with changes to licensing, there are plans for a national minimum space standard for bedrooms in licensed HMOs and waste storage – awaiting regulations to be laid in Parliament April?

• Electrical Safety Standards – Consultation 2018 closes 16th April 2018
And also

• Minimum Energy Efficiency Standards - 1st April 2018 against the law to rent out a property where it doesn’t meet E rating. Government Consultation ended – Approach again will be to issue CPN where breaches are found

• Banning Orders - 6th April 2018 for specific offences – most are not Housing offences

• Rogue Landlords Database - 6th April 2018 for recording
Questions