

Response ID ANON-PEGT-J282-P

Submitted to Local authority returns form: damp and mould in private rented properties

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Introduction

Details:

1 Please provide the full name of your local authority:

Answer:

East Cambridgeshire District Council

2 Please provide an email address of a named person we can contact with any further queries:

Answer:

karen.see@eastcambs.gov.uk

3 Approximately how many private rented sector properties are in your area currently?

Answer. Please provide a number. If you cannot answer, please write 'NA':

5463

4 What data sources do you normally use to inform your knowledge of the quality and condition of the privately rented stock in your area?

b) Stock modelling, c) Estimate based on contact with landlords/tenants

Answer (option - f):

5 Approximately what number of full-time equivalent (FTE) do you have in your housing enforcement team? In answering, please provide the number of all staff working on private rented sector standards, enforcement and licensing, including how many FTE Environmental Health Officers are carrying out enforcement, plus those that work in administrative and managerial roles, but not including legal resource. Also please do not include staff who only work on MEES. Where a staff member works on MEES alongside other housing enforcement, please include them in your FTE numbers.

Optional:

1.2

6 Do you run any Selective and/or Additional Licensing schemes in your area?

Neither

7 If you do run any licensing schemes, approximately how many properties are covered by your scheme(s)? Please break down by each individual Selective/Additional licensing scheme

Optional:

Prevalence of damp and mould

8 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 1 damp and mould hazards?

%:

The calculated percentage proportion to be quoted will depend on the way in which you require us to analyse the data sources. Taking only the complaints we receive from the PRS that reference D&M over the 3 years (38 complaints), and calculating the percentage with a Cat 1 hazard (2 properties) provides a figure of 5%. Taking those in the PRS who contact the council with a housing disrepair issue but do not reference D&M, in addition to those that reference D&M (71 complaints in total) provides a percentage with Cat 1 hazard for D&M of 3%. However, if you take the number of properties in the PRS as a whole (estimated via stock modelling to be 5463) then those we have been able to identify with a Cat 1 hazard for D&M will be 0.04%. The 2021 stock modelling exercise undertaken within the District did not specifically assess the hazard of damp and mould but did assess the following - all hazards, falls hazard, excess cold hazard, disrepair, fuel poverty, SimpleSAP and low-income households. Although D&M was not individually assessed it is often related to excess cold, low income and fuel poverty and the model calculated 8% of the PRS having a Cat 1 hazard relating to excess cold within East Cambridgeshire.

9 What data sources do you normally use to come to the assessment provided in question 8?

b) Stock modelling, c) Estimate based on contact with landlords/tenants

Other please specify:

10 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 2 damp and mould hazards?

%:

As identified in Question 8 the calculated percentage proportion to be quoted will depend on the way in which you require us to analyse the data sources. Taking only the complaints we receive from the PRS that reference D&M over the 3 years (38 complaints), and calculating the percentage with a Cat 2 hazard (11 properties) provides a figure of 29%. Taking those in the PRS who contact the council with a housing disrepair issue but do not reference D&M, in addition to those that reference D&M (71 complaints in total) provides a percentage with Cat 2 hazard for D&M of 15%. However, if you take the number of properties in the PRS as a whole (estimated via stock modelling to be 5463) then those we have been able to identify with a Cat 2 hazard for D&M will be 0.2%.

11 What data sources do you normally use to come to the assessment provided in question 9?

c) Estimate based on contact with landlords/tenants

Other please specify:

12 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

Answer:

n/a

Enforcement Questions: complaints

13 Please tell us what steps you take when you receive a complaint about damp and mould from a private rented sector tenant. Where relevant, please refer to or provide links to any enforcement policies you have in place (e.g. on enforcing category 2 hazards) and any guidance you might provide for tenants experiencing damp and mould issues.

Optional:

All complaints about housing conditions, either in the private or the social sector, are responded to by officers qualified to undertake housing inspections using the HHSRS. Cases are triaged and practical advice given if relating to isolated areas of damp and mould. When receiving a report of damp and mould we ask for photographs where possible, particularly if the extent of the damp and mould is widespread or within in a number of rooms. Officers regularly carry out inspections of properties where there is damp and mould, but the requirement for an inspection is judged on a case by case basis. With respect to RSL properties if we receive reports that unsatisfactory progress is being made with respect to a tenant's direct complaint to their RSL about damp and mould, contact is made with the RSL to request details of actions taken or proposed. Failure of the RSL to satisfactorily respond to the Council results in an inspection being undertaken. Depending on findings within any rented property officers will either agree practical measures that the tenant can take, with a review period agreed, or the private or social landlord will be advised of the remedial work required. The form of action taken is with regard to the HHSRS Enforcement Guidance and is supported by East Cambridgeshire's Private Sector Housing Enforcement Policy 2022. The council website has information for tenants and landlords and there is information about damp and mould, available in different languages if required.

<https://www.eastcambs.gov.uk/housing/private-housing-accreditation>

https://www.eastcambs.gov.uk/sites/default/files/domestic_team/condensation_information_leaflet_30935.pdf

<https://www.eastcambs.gov.uk/housing/supporting-migrant-workers> The recently updated Private Sector Housing Enforcement Policy 2022 is also available on the website: <https://www.eastcambs.gov.uk/housing/private-sector-housing-policies>

14 Overall, how many complaints relating to housing standards have you received in the last three financial years that reference or relate to damp and mould issues in the private rented sector?

Answer - 2019/2020:

15

Answer - 2020/2021:

10

Answer - 2021/2022:

13

15 Of the complaints you received that reference damp and mould in the last three financial years, approximately how many resulted in inspections?

Answer - 2019/2020:

9

Answer - 2020/2021:

2

Answer - 2020/2021:

8

16 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

n/a

Enforcement Questions: category 1 damp and mould hazards

17 Approximately how many inspections have you undertaken overall in the last three financial years?

Answer - 2019/2020:

9 inspections of PRS and 11 inspections of RSL following complaint of D&M

Answer - 2020/2021:

2 inspections of PRS and 8 inspections of RSL following complaint of D&M

Answer - 2021/2022:

8 inspections of PRS and 16 inspections of RSL following complaint of D&M

18 Thinking now ONLY about all of the inspections that you undertook as a result of complaints, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

1

Answer - 2021/2022:

1

19 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

20 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

21 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

22 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

Inspections were only undertaken in these periods as a result of a complaint or licensing inspections.

Enforcement Questions: category 2 damp and mould hazards

23 Thinking now ONLY about all the inspections that you undertook as a result of complaints, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

9

Answer - 2020/2021:

1

Answer - 2021/2022:

7

24 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

1

Answer - 2020/2021:

0

Answer - 2021/2022:

0

25 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

26 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

27 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

Inspections for damp and mould only undertaken as a result of complaints or licensing inspections during these periods.

Enforcement action

28 Please provide the figures for all formal and informal enforcement action taken on damp and mould hazards:

Answer - 2019/2020:

9 hazard awareness notices served

Answer - 2020/2021:

2 hazard awareness notices served

Answer - 2021/2022:

8 hazard awareness notices served

29 Please provide the figures for improvement notices issued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

30 Please provide the figures for civil penalty notices issued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

31 Please provide the figures for prosecutions pursued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

32 Please provide the figures for successful prosecutions in relation to damp and mould hazards:

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

Wider context

33 Please rank in priority order (1 - the highest impact / 6 - the least impact) how the following have had an impact on enforcement action relating to damp and mould in your area

Optional - a) Capacity of your local authority. i.e. resource and funding hindering capacity to take enforcement action relating to damp and mould.:
1

Optional - b) Experience and expertise in the local authority. i.e. a lack of officers with experience, for example, experience pursuing prosecutions or expertise within the team including, for example, legal expertise.:
6

Optional - c) Strategic prioritisation of private rented sector enforcement. i.e. competing priorities leading to relatively lower prioritisation of enforcement action or proactively enforce.:
2

Optional - d) The regulatory/ legal framework for enforcement activity. i.e. too much complexity in legislation.:
3

Optional - e) Issues with gathering or providing evidence. i.e. tenants reluctant to provide statements or difficulties gathering the requisite evidence for issuing a fine or prosecuting.:
4

Optional - f) Limited data on the private rented stock. i.e. difficulties identifying private rented properties or insufficient resource to map out private rented stock.:
5

34 Please say why you have ranked the items on question 31 in this order

Optional:

To rank the above in any meaningful way when looking specifically at factors affecting the enforcement of D&M issues is problematic due to the fact that when receiving complaints about D&M and inspecting premises we do not generally see extensive issues with D&M, and this is evident from our data. Therefore, we do not consider we are specifically hindered in taking enforcement action against such issues, when the evidence we have available to us does not suggest there are significant occurrences of Category 1 D&M as assessed by the current HHSRS system. We are however hindered in the fact that we have limited capacity to undertake proactive inspections of properties in the PRS, where tenants may not wish to present themselves to the LA as having problems with D&M through various reasons, which could be fear of consequences with respect to security of their rented property, or some may not know how to raise concerns. Or alternatively they may be living in properties where D&M is not an issue. Hence, although I have ranked capacity as the highest impact, this is with the caveat that when only addressing D&M we are not enforcing as the evidence is not there at present. That is not to say that many of our complaints of poor housing conditions do not reference damp and mould, amongst other concerns, and following an inspection where a D&M hazard (Cat 1 or 2) is identified, recommendations are made to the LL and/or tenant, with appropriate follow up/enforcement by the LA. Without a register of every PRS property in the District and an inspection of each of these with respect to the issue of D&M we would not be in a position to fully understand the extent and seriousness of the problem for possible enforcement and understand what factors may be relevant to action not being taken. The causes of D&M can be complex and are often linked to other hazards within the property such as excess cold. This, combined with fuel poverty and the current cost of living crisis, means that an issue of D&M may not always be as a result of failings by a landlord, but due to the age of the housing stock, restricted options for improving insulation generally and the potential reduced ability of residents to afford to properly heat their homes. Our recent Housing Stock Model exercise is assisting the LA to identify those areas where this is more likely to occur and to promote the ECO funding available for persons to insulate their homes by doing targeted letter drops and home visits. The Housing Model will continue to be used (subject to resource capacity) to proactively address all aspects of housing disrepair and energy efficiency in a targeted way and this could include targeting those in the PRS whose homes could be subject to D&M.

35 Does the Housing Health and Safety Rating System (HHSRS) allow for an effective assessment of how serious and dangerous damp and mould is in people's homes?

No

36 If not, what changes should be made to the HHSRS, to the system for categorising hazards or to enforcement powers under the Housing Act 2004?

Optional:

Ensuring the hazard profiles are based on up to date evidence and any new research highlighted and incorporated into HHSRS guidance. Prevent further regulations being added to the ever complex and wide-ranging raft of powers available to LA's, without careful review of all current controls and the practical application of new powers when considered alongside existing enforcement routes. Appropriate training and guidance to be provided. Clearer links between the seriousness for certain individuals when D&M is present, Certain underlying health conditions or aspects of existing poor health can be exacerbated by D&M, and so this may be more hazardous to individuals when compared to the average vulnerable groups. Flexibility to take enforcement if the hazard affecting the occupier is only higher due to their individual circumstances, with clear guidance provided as to what evidence would be needed to demonstrate this e.g. a report from a medical professional.

37 What other measures would help you to better prioritise addressing housing enforcement issues such as damp and mould?

Optional:

Introduce a LL registration scheme to assist in the proactive targeting of properties more likely to have high harm hazards.

An element of support for LL's to retrofit their properties to improve insulation. Failure to take up such assistance would help prioritise those unlikely to invest and address problems of hard to heat homes.