

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

Overview

Why your views matter. We are requesting information on damp and mould in privately rented homes. Thank you for taking the time to respond.

Introduction

This form is to collect information on damp and mould in privately rented homes from local authorities. It follows a [letter](#) from the Secretary of State dated 19 November 2022.

Local authorities play a vital role in enforcing standards in the private rented sector, supporting tenants and tackling rogue landlords. The tragic death of Awaab Ishak has highlighted the importance of ensuring that tenants do not have to live with unsafe damp and mould in their homes.

The information provided through this form will enable us to better understand the issues surrounding damp and mould and will inform future on policy in this space, including how we support local authorities. We will also share this data with the LGA to inform their work. In collecting this data, we are aware that the figures over the pandemic period may not be representative of usual times, and this will be taken into account.

We also recognise that data collection systems and practices will vary from council to council, and that precise data may not be available for all of the questions listed below. Some questions have been marked as optional: however, where there is enough information available to allow a relatively robust estimate, we would welcome your support in providing as detailed a picture as possible.

We thank you very much in advance for your help to address this important issue.

If you have any queries, please email us at housingstandards@levellingup.gov.uk

Details:

1

Please provide the full name of your local authority:

Answer

Trafford Borough Council

2

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

Answer

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'

18,382

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?

- a) **Stock condition survey**
- b) Stock modelling
- c) Estimate based on contact with landlords/tenants
- d) Estimate based on general knowledge of local housing stock
- e) Housing census
- f) Other: e.g. licensing schemes(s), council tax, please provide details (below)
Please select all that apply

Prevalence of damp and mould

The following questions relate to your assessment of damp and mould issues in your local authority area. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

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.

3

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

N/A

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?

Less than 1% (estimate only and largely based on difficulty in scoring damp and mould as Category 1 under the scheme)

9

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

- a) **Stock condition survey**

- b) Stock modelling
 - c) Estimate based on contact with landlords/tenants
 - d) Estimate based on general knowledge of local housing stock
 - e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)
- Please select all that apply*

Enforcement Questions: complaints

The following questions relate to damp and mould complaints and inspections in your local authority area. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

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?

12%

11

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

- a) Stock condition survey
 - b) Stock modelling
 - c) Estimate based on contact with landlords/tenants
 - d) Estimate based on general knowledge of local housing stock
 - e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)
- Please select only one item*

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

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.

1. Request that the tenant completes our online disrepair reporting form found at <https://www.trafford.gov.uk/residents/housing/housing-standards/Report-disrepair-in-your-privately-rented-property.aspx>, including providing evidence of their written report about the issue to their landlord and/or agent. If property is owned by a Housing Association the tenant is asked to follow the Housing Association formal complaints procedure and contact the Housing Ombudsman, prior to completing our online referral.
2. Send tenant a link to an advice leaflet regarding damp and condensation (<https://www.nea.org.uk/wp-content/uploads/2020/07/Dealing-with-damp-and-condensation-2019.pdf>).
3. Send an initial letter to the landlord and/or agent to notify them of the issue and request that they make arrangements to inspect the property and contact the Council to outline their plans for remedial action within a specific time period (usually 28 days).

4. If no or an inadequate response is received, an inspection of the property will be arranged under section 239 of the Housing Act 2004 to assess any hazards and determine whether enforcement action is required. Where applicable, enforcement notices are then served following a HHSRS assessment.
5. If an inspection takes place but no defects are identified which relate to dampness and mould growth, a letter will be sent to tenants confirming the outcome of the inspection and providing advice.

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

89

Answer - 2020/2021

90

Answer - 2021/2022

80

Enforcement Questions: category 1 damp and mould hazards

The following questions ask for the number of category 1 damp and mould hazards identified broken down by inspections resulting from complaints, licensing, stock modelling and other reasons.

If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

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

26

Answer - 2020/2021

16

Answer - 2020/2021

19

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

Data has been provided for Q17 but this is not a true reflection of the number of inspections completed by officers. The true number will be a lot higher, but due to lack of coding being used to record visits in our management information system, this information is not readily

available. Officers are now using coding to record all visits, so in the future it will be easier to run figures off for future reports.

17

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

Answer - 2019/2020

44

Answer - 2020/2021

52

Answer - 2021/2022

82

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

0

Answer - 2021/2022

1

Enforcement Questions: category 2 damp and mould hazards

The following questions ask for the number of category 2 damp and mould hazards identified broken down by inspections resulting from complaints, licensing, stock modelling and other reasons. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

19

Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category1 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 notable to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer

Information is reported in q23 however not all visits will result in a HHSRS assessment being undertaken and recorded so these figures will be higher in reality. Formal HHSRS assessments will be undertaken when officers are considering taking formal enforcement action.

With regards to Q24, over the 3 years, damp has been identified in 8 licensable HMOs, which was raised informally with the licence holder and rectified accordingly. No HHSRS assessment was undertake however and so we are unable to confirm whether the hazards were category 1 or 2.

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

5

Answer - 2020/2021

4

Answer - 2021/2022

6

24

Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category2 damp and mould hazard?

Answer - 2019/2020

0

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

Enforcement action

The following questions ask for figures on enforcement action taken in relation damp and mould hazards, including the number of improvement notices and civil penalty notices issued and the number of prosecutions.

If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

27

If you have not collected the information requested above or are notable 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

28

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

Answer - 2019/2020

60

Answer - 2020/2021

70

Answer - 2021/2022

57

29

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

Answer - 2019/2020

4

Answer - 2020/2021

7

Answer - 2021/2022

5

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

Wider context

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

0

Answer - 2020/2021

0

Answer - 2021/2022

0

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
1 2 3 4 5 6

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

1

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

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

3

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

2

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

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

The highest impact on the Private Sector Housing team is capacity due to the small number of Officers and high workload. The number of complaints the team receive to investigate has increased significantly over the past 10 years. Issues such as the tragic death of Awaab Ishak in Rochdale and the subsequent media coverage has resulted in the team seeing an increase in the number of complaints regarding damp and mould. The second highest impact is the regulatory framework as additional legislation keeps coming into force but doesn't necessarily make it easier for the officers to undertake enforcement work. Strategic prioritisation has also been ranked highly due to conflicting priorities the team face. The Homes for Ukraine work for example is recognised as an important piece of work but has put the small team under increased pressure to deal with these inspections and follow up work, at a time when their complaint work for private rented properties has increased. This work is still continuing to place demands on the team, especially in a Borough like Trafford, where the uptake of the scheme has been especially high.

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?

Yes

No

Not sure

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?

The system is too subjective and complicated. A set of minimum standards would therefore be welcomed.

37

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

Additional funding provided to Council's specifically to use as a works in default budget so that property conditions can be improved, rather than just penalising landlords through notice charges, financial penalties and prosecutions.