

Consultation on a reformed Decent Homes Standard for social and privately rented homes

Response from the Northern Housing Consortium

About us

The Northern Housing Consortium (NHC) is a membership organisation based in the North of England. We are the 'Voice of the North' working with local and combined authorities, housing associations and ALMOs to develop insight, influence and solutions to create better homes and places.

Introductory Comments

We welcome the government's commitment to update the Decent Homes Standard and extend it to the private rented sector - a move that will help ensure safer, healthier housing for 336,000 Northern households currently living in non-decent private rented homes.

Over the past two decades, the Decent Homes programme has significantly improved conditions for social housing tenants, with a remarkable 90% of social housing stock in the North meeting the standard. Progress in the private rented sector has remained frustratingly slow. In 2001, nearly half of privately rented homes in England (49%) failed to meet the Decent Homes Standard. By 2024, more than a quarter (27%) of private rented properties in the North were still falling short of the standard.

Overall, we welcome and support the renewal of the standard, particularly reflecting modern expectations on health and safety, damp and mould prevention, thermal comfort, and modern facilities.

However, the revised Decent Homes Standard introduces potentially costly new elements, and elements of the proposed implementation will make it much more challenging for social housing landlords who operate over 1000s of properties to deliver the right outcome in a cost-effective way that delivers value-for-money.

To address this, we believe the proposed standard requires refinement in certain areas to reflect the distinct business models of the social and private rented sectors, and to ensure that efficiencies and value-for-money can be maximised. This will necessitate clearer guidance and realistic cost assessments to ensure effective implementation.

To inform our view, we have consulted widely with our members across the sector.

Our key points are:

- **Cost implications:** Our members have highlighted that the additional costs could significantly exceed those projected in the interim impact assessment, potentially placing considerable pressure on social housing budgets.

The social housing sector has been under increased financial pressures, exacerbated by years of under-funding and real terms rent cuts. We know that the Government understands these pressures, as evidenced by the very welcome commitment to

increase social rents by CPI+1% for 10 years, and introduce rent convergence. This will give providers, lenders and investors greater long-term certainty.

As set out in our response to the consultation on rent convergence, use of additional resources through convergence will vary depending on providers. Many members have told us that the revised Decent Homes Standard and proposed approach to Minimum Energy Efficiency Standards (MEES) will cost more than they had originally anticipated, and more than the Government's published impact assessments.

The Government's commitment to £39 billion for the Social and Affordable Homes Programme (SAHP) will be a major boost to supply, but our members have told us that as it stands currently they will need to factor in the additional expenditure for new key requirements of the new Decent Homes Standard, and changes to the way it is implemented such as the removal of the age criteria, into their business plans which will in turn impact the availability of resources for new homes.

In this context it is critical that costs are fully understood, and that the new Decent Homes Standard enables efficiency and value-for-money to be maximised by social housing landlords, thereby minimising the trade-off with new supply.

A key requirement is that the final impact assessment should provide a comprehensive evaluation of the full costs involved, alongside other significant changes such as MEES. The final assessment of costs must include detailed modelling which can be gained by working with individual social landlords, to understand the reality in practice and any risk of trade-offs with supply.

- **Refinement to the proposed standard to support both tenures**

We support the extension of the standard to the private rented sector. Of the 1.3 million private rented properties in the North, 27% of homes are currently non-decent (336,000 homes). The proposed reforms represent a significant step forward in addressing disparities in housing quality between the social and private rented homes.

While we support the intention of the standard to create a level playing field and ensure all tenants benefit from a consistent baseline of housing quality, we do not consider it feasible for every aspect of the standard to be applied uniformly across both tenures.

There are elements of the standard which should apply differently to both tenures, and this should be supported by separate guidance for the social and private rented sectors.

In the social housing sector, the asset management model allows providers to operate long-term business models and at scale, and this should not be undermined by a standard which aims to fit the business model of a private landlord. For example:

- **Age criteria** - Feedback from consultation with our members showed that the age of a building component is a vital indicator for asset management and lifecycle planning. This allows value-for-money to be achieved through strategic planning over a large portfolio of properties, and large-scale procurement over long time horizons for key components. For the social rented sector alone, it is crucial to retain component lifetimes for strategic planning, recognising the value in asset management and long-term stock quality. This also retains a clear, understandable metric for tenants, as well as being a useful planning tool for social landlords.

The link to age for social landlords should be included in guidance to the standard. The intention would be that the Regulator will account for this in monitoring the application of the standard.

- **List of additional components** – a recurring theme through our consultation with members was the benefits of a rounded approach to decency. Conflating decency with replacement of singular components can present a false economy as it obscures disrepair backlogs accumulating in neglected areas and puts pressure on other areas of the business e.g. responsive repairs. A piecemeal approach to housing regulation and renovation can produce inefficiencies through complexity and is more likely to result in a rise in disrepair claims, and valuable finances being spent on claims, rather than on decent homes.

Our concern is that without this further refinement, the proposed standard will result in increased costs without the benefit of greater efficiencies or value for money.

- **Align the Decent Homes Standard with other requirements to reduce costs and disruption**

The reformed standard, together with Awaab's Law, MEES, and proposed updates to the Housing Health and Safety Rating System, offer a strong opportunity to improve housing quality across tenures.

Our members emphasised that successful implementation, and consistent delivery, depends on legal clarity, particularly around how the standard interacts with other regulations to avoid duplication and streamline enforcement. Clear national best practice guidance will be essential.

- **Assessing the new model prior to implementation**

We believe that a pilot approach to testing how the standard could work in the social housing sector (similar to the phased implementation of Awaab's Law) is essential to explore how the implementation of the standard will be achievable and effective.

The social housing sector is supportive of this approach, and we will work with Government to implement an approach to 'test and learn.'

Our detailed response to the consultation questions is below. We look forward to further engagement with MHCLG as the reforms are refined and implemented.

Proposal 1: Updating the definition of disrepair (Criterion B)

Question 11:

Do you agree that age should be removed from the definition of disrepair?

NO

While the removal of age from the definition of disrepair is viewed as a step toward achieving parity across rental tenures, it is important to recognise that the social rented sector operates at a scale where the inclusion of age remains a valuable component of asset management strategies.

Feedback from our consultation with members indicated that the age of a building component is a valuable indicator for asset management and lifecycle planning. Working in this way maximises value for money through procurement approaches.

An example from a member talking about their programme of replacement which involves working across whole streets where all kitchens were fitted at the same time.

“This gives us certainty over spend levels and gives customers certainty. It also gives assurance to the supply chain and contractors as they have confidence over volume and location and can resource accordingly.”

Another member commented, *“This could lead to component replacements well in advance of lifecycle predictions, having an adverse impact on business plans. Removal could also penalise customers who take considerable care and pride in their homes, finding themselves with planned works put back to accommodate homes where components have not been looked after with such care.”*

A member told us *“Landlords undertake works on a planned basis, grouping it together so that there is better value for money for tenants’ rents. This is a core part of good asset management and is a key difference between a social landlord that manages thousands of properties, and a private landlord which may only manage a few.”*

Our members have confirmed that the age criterion is critical to their stock condition programmes and that it will continue to be taken into consideration.

The following points emerged during our consultation with members:

- Component lifetimes are critical signposts of when to review an assets condition and this supports procurement processes to achieve best value outcomes. A change in the certainty of large-scale procurement may mean that costs will increase resulting in poorer value for money.
- Working on condition alone is likely to mean ad-hoc replacement with the additional risk of unintended consequences meaning that by removing the maximum age from kitchens and bathrooms this may work to the detriment of those tenants who maintain their property, and they might get refurbishments less regularly.
- For tenants, the lifetime component retains a clear, understandable metric. Use, or misuse, was seen as an important factor in replacing components such as a kitchen due to condition. This was seen as giving a perverse incentive not to look after components which can create an environment whereby misuse is rewarded with replacement, accelerating depreciation of capital. Inevitably costs will increase resulting in poorer value for money and a likely decrease in satisfaction through TSMs.
- Many social housing providers have carried out major updating of their asset management database which factor in age requirements for asset management planning. This tracks the installation date of all decent home standard components as part of the 30-year HRA business plan detailing where work is required to maintain the standard in the coming year.

Following extensive consultation with our members, we recommend:

- This element of the standard should vary between private rental and social housing. For the social rented sector alone, component lifetimes should be retained for strategic planning, recognising the value in asset management and long-term stock quality.

Question 12:

Do you agree that the thresholds used to define disrepair for each component should be updated to reflect a more descriptive measure as proposed?

YES

Member feedback indicated that the implementation of a more descriptive framework should result in:

- Improved accuracy and fairness in assessments by focusing on functionality, safety, and tenant need.
- Support asset management, allowing providers to prioritise repairs and replacements based on actual need.

We recommend that the standard should include

- Detailed guidance on descriptive thresholds, including examples and condition indicators for each component.
- Allow for professional judgement and also ensure consistency through support for training and standardised inspection tools.

Question 13:

Do you agree that the number of items or components which must require major repairs for the component to be considered in disrepair should be reduced?

YES

Question 14 (Landlords only):

Do you think that removing age as a consideration from disrepair would lead to less planned maintenance of your properties and more reactive repairs carried out in response to issues raised by tenants?

YES

Some members noted that removing age as a factor in disrepair assessments could reduce planned maintenance and increase reliance on reactive repairs, potentially undermining maintenance programmes.

The final impact assessment should capture the negative potential consequence of increased reactive repairs and a reduction in large scale planned maintenance programmes.

Question 15:

Do you agree that kitchens and bathroom components should be considered as “key” i.e. one or more in disrepair would cause a property to fail the DHS?

YES

We agree that kitchen and bathroom repair should be prioritised as key building components.

It is noteworthy that members have previously engaged tenants on the definitions of ‘key’ and ‘other’ components. Feedback from social housing tenants suggests that the age

criterion is perceived as clear and straightforward, whereas the distinction between ‘key’ and ‘other’ components is less well understood.

Question 16:

a) Do you agree with the proposed list of building components that must be kept in good repair?

NO

b) If you have any views on this specific question you would like to share, please do so here

We consider that certain items on the proposed list of building components may present practical challenges.

We also note, some disrepair elements are excluded from the total and additional estimated costs accompanying the consultation. Where costs arise outside the scope of modelling for the impact assessment, the total cost of the standard above existing obligations could be significant.

Some definitions of disrepair presented in the consultation appear overly prescriptive. The accompanying analysis suggests that 31% of social rented homes would be classified as non-decent against the revised standard due to disrepair, including for new provisions such as internal door defects (10%) and deterioration of external paths (10%).

Our members have indicated that current reporting and management practices for such items are not aligned with existing asset or repairs system structures. Registered providers have said that while they are committed to proactively maintaining decency, a rigid list of components - some beyond their direct control - could lead to properties falling in and out of decency with regularity.

One member pointed out *“There should be temporary exemptions for properties where there is component failure, but where the property is part of a timely planned programme of work. For example, a roof may fail the standard but be part of a full roof replacement programme the following year.”*

The Decent Homes Standard is intended to serve as a continuous record of housing quality. We are concerned that the level of prescriptive detail risks distorting the concept of decency and may affect how compliance data is reported and interpreted by the Regulator.

An example of concern from one of our members was the overall impact of this level of detail on how decency is regarded, *“We worry about whether the system is agile enough to keep pace with what’s decent and what isn’t. Decency has been a source of pride in the sector. If everyone is non-decent at 30% or 40%, and there are day to day changes, does it become no longer important - everyone ends up being average. It becomes just background noise.”*

We have consulted with our members and their specific component concerns are:

- **Internal doors** - the addition of ‘internal doors’ requires some clarity in terms of the landlord’s responsibility as this has previously included only external doors.

- **Signage** - fire safety compliance is a priority for all of our members but fire safety signage as a 'key' component overlaps with fire safety regulation. We therefore question its inclusion as a measure of decency when it is a legal requirement.

An example of a comment is *"For some of the areas covered there is already primary legislation. Our concern is the proposed changes to DSH2 are complicating or overlapping with the legislation already in place. A more proactive approach is preferred through our fire safety strategy, policy and procedures."*

A further example state, *"We understand why the DHS2 may include health and safety legislation relating to the PRS sector. However, in social housing the areas covered in this assessment are already covered by relevant legislation. The concern is that including further requirements in the DHS2 could cause duplication and create an added layer of complexity in terms of data collection, analysis and reporting."*

Lifts - We acknowledge that lifts are a high priority for timely repair. However, social landlords already treat lift repairs with urgency, irrespective of their inclusion in the standard. Adding lifts to the standard could unnecessarily increase the number of homes classified as non-decent (worsened by frequent supply chain issues to arrange suitable repairs from contractors).

An example of a response from a member is, *"It is not uncommon to have a block of properties with a lift present where there are no customers solely dependent on the lift for access/egress. We recommend an amendment to the definition of disrepair proposed to highlight that a lift requiring replacement or repair is only considered to be non-compliant where there is an occupant who is dependent on a functioning lift for access and egress to/from their home."*

- **Internal wall and ceiling finish** - member consultation raised concerns regarding the rationale for including internal wall and ceiling finishes as key components, with requests for greater clarity on their classification. Landlords will be required to assess 'significant crumbling' or 'serious cracking' of plaster. The standard must be clearer on what constitutes non-decency, or this should be removed from the proposal.
- **Bin Stores and external lighting** - several of our members questioned the inclusion of bin stores and external lighting (see Q18).

Question 17:

Do you agree with the proposed "key" components and "other" components as listed?

NO

We agree that it remains useful to prioritise building components between 'key' and 'other.' Prioritising key components that, when in poor condition, could have an immediate impact on the integrity of the building, allows landlords to prioritise more efficiently and reduce disruption to residents.

But as referenced in Q16, we have concerns about the inclusion of Internal wall and ceiling finish (key), Internal doors (key), Fire Safety Signage (key), Lifts and some external components.

This reflects concerns among some members about the need for a clear distinction between key and minor components, and the risk that homes may be classified as non-decent due to relatively minor issues that can be promptly addressed.

Question 18:

a) Do you agree that the suggested additional components that relate to the public realm (boundary walls, curtilage, pathways and steps, signage, external lighting, bin stores) should only apply to the social rented sector?

YES (with amendments)

c) If you have any views on this specific question you would like to share, please do so here

Our consultation with members highlighted the following issues:

- **Mixed tenure** - Members emphasised the importance of acknowledging the presence of private landlords within mixed-tenure neighbourhoods. In relation to outdoor and communal spaces, it is essential that the social housing sector is not financially disadvantaged by subsidising privately owned properties. Where private rented sector landlords have responsibility for such areas, both social landlords and tenants highlighted the need for consistent standards across all tenures.
- **External paths** - External paths are estimated to account for approximately 10% of non-decency under the revised standard, and members have requested greater clarity regarding responsibility for footpaths, highways, and green spaces. In many cases these areas typically fall under local authority jurisdiction and are outside the direct control of housing associations. Clear delineation of responsibilities for surrounding infrastructure is essential to ensure accountability and uphold neighbourhood standards.
- **Bin Stores** - The proposed inclusion of bin stores within the definition of disrepair introduces ambiguity around responsibility. Some of our members said they do not support their classification as a separate component, citing concerns, outlined in our response to Question 16b, that monitoring their condition would impose a disproportionate administrative burden. This change could increase disrepair claims against social landlords and lead to frequent fluctuations in compliance for blocks of flats.

An example of a comment from one of our members, *“An existing bin store, providing functional, does not impact on the safety and warmth of a home, which should be the ultimate focus of the Decent Homes Standard. The level of resource required to monitor the reported cases and tracking the journey through decency/non-decency could be redirected to focus on the key components.”*

- **External lighting** - This is currently covered under HHSRS and is a duplication. It would not be possible for Registered Providers to collect and hold data on lighting and report on decency standards for every case where a light is not working. The volume of information would be vast, and it would be extremely costly to update systems which currently do not support this.

Members broadly support the inclusion of communal areas within the scope of the Decent Homes Standard, recognising the importance in promoting decent neighbourhoods and a consistent quality of life. Well-maintained environments help reduce stigma and foster community cohesion. It is appropriate for the standard to set expectations that social landlords, in consultation with tenants, actively seek to influence the appearance, amenities, and overall environment of neighbourhoods, particularly where they hold a significant concentration of homes.

This broader, place-based, approach acknowledges the collaborative role of landlords while recognising the limits of their direct control. We recommend that accompanying guidance encourages this place-based approach without imposing prescriptive requirements as part of the standard.

As with all extensions of the standard, the impacts of any extension must be considered within the context of the extra demands made on housing providers in relation to meeting demands from the Building Safety and Net Zero agendas - and considerations to this should be included within the final impact assessment.

Question 19:

If you have any views on these specific questions you would like to share, please do so here

Our members are keen to avoid an overly prescriptive approach within the reformed Decent Homes Standard.

The way in which the standard will be measured, if too prescriptive, will be focused on individual components rather than specifying outcomes. Some items are out of a social landlord's direct control, and the cost of the additional items has not been fully quantified. When fully realised, the cost and implications of these additions, will inevitably risk a redirection of resources.

The proposed expansion of components could dilute attention from wider business plans, and ultimately not be in the longer-term best interests of tenants. We recommend refining the list of components to support a more impactful approach, one that ensures resources are directed toward improvements which most significantly enhance tenant safety and overall experience.

The guidance that will accompany the standard will be crucial in setting practical and deliverable policy but which overall, raises expectations for an ambitious standard for rented housing.

This is essential where mixed tenure already presents challenges for landlords in defining responsibility.

It also provides the opportunity to bring residents into the process.

The NHC would be keen to play a role in helping Government design and test this guidance with landlords and residents.

Proposal 2: Facilities and services (Criterion C)

Question 20:

a) Do you agree that under the new DHS landlords should be required to provide at least three out of the four facilities listed?

NO

The wording must clearly specify a requirement to include three core components, with a fourth added where appropriate. Ultimately, all four elements should be met to ensure a comprehensive standard. The current 'mix and match' approach introduces ambiguity around which of the initial three components may be excluded from the Decent Homes Standard. Further clarification is needed on the criteria used to determine component selection to avoid inconsistent application.

b) If you said No, are there any of the facilities that you would prioritise?

(Please select all that apply) Kitchens / Bathrooms / Noise Insulation / Communal Areas

c) Do you believe that the “multiple choice” nature of Criterion C (i.e. landlords must provide at least three out of the four facilities listed) could lead to any practical implications for tenants, landlords and/or organisations responsible for regulating/enforcing the standard?

YES

The 'three out of four' approach could risk the enforceability of the standard.

We consider that kitchens, bathrooms, and noise insulation are non-negotiable elements, given their direct impact on health, safety, and overall decency. Communal areas in blocks of flats are also important, but their assessment may require a more flexible approach, especially where definitions are broader. We recommend that clear definitions and guidance be established for shared spaces within this context.

d) If there is anything else you would like to add on this specific proposal, please do so here

Open text

Proposal 3: Window restrictors (Criterion C)

Question 21 (Landlord only):

Do you currently provide child-resistant window restrictors that can be overridden by an adult on dwellings with windows above ground floor?

Not applicable

Question 22:

a) Do you agree with the proposal that all rented properties must provide child-resistant window restrictors that can be overridden by an adult on all windows which present a fall risk for children (as defined above including a recommended guarding height of 1100mm)?

YES

We broadly support the proposal as a sensible measure to improve child safety in rented homes. Ensuring that windows presenting a fall risk are fitted with child-resistant

restrictors, while allowing adult override, is a practical way to reduce accidents without compromising emergency access or ventilation.

Our members told us that current practice ensures that window restrictors are always in place at high-rise properties. However, a requirement to extend provision at first floor windows may present several challenges:

- **Retrofitting older properties:** Many older buildings may have window designs that are not compatible with standard restrictors, requiring bespoke solutions or significant alterations.
- **Cost implications:** The impact assessment notes the total cost of installing window restrictors to the social rented sector would be £13.1m. The cumulative cost of installing restrictors across multiple properties, especially for small landlords or those managing older stock, could be substantial.
- **Access and installation:** In multi-storey buildings or HMOs, gaining access to all relevant windows and coordinating safe installation may be complex.
- **Tenant satisfaction:** Some tenants complain about the restrictors, particularly in the summer and some will be deactivated by adults. Where tenants remove / tamper with window restrictors, this should not cause non-decency in the home.
- **Exceptions:** there are properties which should be excluded, for example, Supported Housing where vulnerable people are accommodated and restrictors should apply according to HSE advice and not be overridden.

Members told us they typically have restrictors fitted to windows as part of replacement programmes.

We recommend that the final guidance includes support for landlords, such as technical specifications, examples of compliant products, and potential funding or phased implementation options for more complex cases.

b) If there is anything else you would like to add on this specific proposal, please do so here

Our members take the potential fall hazard seriously, and many have already enhanced the provision of window restrictors. However, the additional cost of this proposal to social landlords will be significant.

It is essential that the final impact assessment fully accounts for the total cost of this safety requirement. Consideration should also be given to the functionality of the restrictors, particularly the ability for adults to override them, and how this affects compliance with the Decent Homes Standard.

Question 23:

The following questions relate to additional home security requirements in the DHS:

- a) Do you think that home security requirements in relation to external doors and windows are sufficiently covered in the Decent Homes Standard?**

DON'T KNOW

Our members told us that it is already standard practice to install Secured by Design (SBD) doors and lockable windows.

It may be more advantageous to drive improvements in security through building regulations, for example, making it compulsory that all windows manufactured are to a set standard. This would provide a better way of regulating window safety than the proposed inclusion in the Decent Homes Standard and would ensure the standards are met upon renewal.

If this is included in the new standard, our members request that it is applied during planned replacement programmes rather than as a standalone retrofit.

Members noted that door and window upgrades are often part of fabric-first retrofit schemes. Therefore, any regulatory changes must be aligned with the revised thermal comfort criteria to avoid duplication or unnecessary replacement. Introducing home security measures ahead of finalising other elements of the standard could lead to compliance issues. For example, one of our members reported having to replace relatively modern windows and doors to meet PAS 2035 requirements when installing external wall insulation.

Overall, our members felt strongly that homes and neighbourhoods should have a basic level of security including a requirement to reduce fear of crime and considerations for sufficient lighting in communal areas and non-adopted highways.

There are aspects of home security that could be further explored in guidance or best practice on neighbourhood management.

- b) If you responded No to part a), should we consider additional security requirements in relation to external doors and windows in the Decent Homes Standard?**

NO

- c) If you responded Yes to part b), should we consider giving landlords the option to comply with Part Q requirements in Building Regulations?**

NO

- d) If there is anything else you would like to add about the impact of introducing additional home security measures (such as challenges, costs), please provide detail here**

Proposal 5: Suitable floor coverings (Criterion C)

Question 24:

- a) Do you think that landlords should provide suitable floor coverings in all rooms at the start of every new tenancy from an agreed implementation date?**

NO, not as part of the Decent Homes Standard.

- b) If you have any views on this specific question you would like to share, please do so here**

We recognise that social housing is often allocated to individuals in greatest need, including those experiencing crisis situations such as homelessness. Social landlords are actively supporting tenants during periods of hardship by expanding financial and tenancy support services, increasing access to hardship funds, and facilitating connections with third sector organisations.

One member told us, *“We provide support for some new customers who are most in need to fit new floor coverings. This is provided through a hardship fund in which they can access money for floor coverings, as well as support finding other funding and support routes.”*

Practices across the social rented sector vary, with only a minority of providers offering floor coverings at the start of a tenancy. Approximately 80% of properties are let without full floor coverings. A more consistent feature for social landlords is support to tenants at the point of allocation, including:

- Leaving existing flooring when it is in good enough condition
- Carrying out needs and affordability assessments with the prospective tenant to identify support needs
- Partnering with local charities for donations of pre-used flooring

Some providers will also carry out health assessments to provide floor coverings where there is evidence of a medical needs or needs associated with the development of a child.

Our consultation with members showed that requiring social landlords to provide floor coverings in all rooms at the start of a tenancy as part of the Standard would bring about considerable financial and operational strain.

One member told us, *“There are asset management concerns, particularly around ownership of the carpets, and responsibility for repairs and replacement during a tenancy.”*

Another said, *“Tenants take up floor coverings anyway, a high proportion of floor coverings aren’t acceptable for the next tenant or tenants may wish to put their own flooring down.”*

We recognise the importance of the issue in cases of hardship, but including this in the standard will result in:

- **High costs** – this is the leading barrier. The sector has significant concerns regarding the cost implications of extending floor covering requirements to all new tenancies. There is also an environmental and waste concern, particularly if tenants choose to replace newly installed flooring for aesthetic reasons.

Example One - *“We have budgeted £53.3m over the next 30-year business plan for floor coverings”*

Example Two - *“Including floor coverings would add between £5-7 million to the annual repairs budget.”*

Example Three – *“Figures based on an average of 1300 void homes per annum with 75% needing new floor coverings, with a median tenancy length of 8 years*

would be a cost of £3m per year. These are current costs, and the price of materials and labour is only anticipated to increase.”

Example Four – “It will take £10m out of the budget which means £10m less for repairs, or £10m less on turning around empty properties more quickly.”

- **Operational issues** - estimates of how often floor coverings would need to be replaced at void stage ranged from 50% to 90%. This is likely to increase void turnaround times, delaying the availability of affordable homes and placing further financial pressure on providers. There is also lack of clarity around ownership of flooring and ongoing maintenance and responsibility.

While we do not believe this should be included as part of the Decent Homes Standard, we are pleased this issue has been raised for debate as there is a need to respond to hardship.

We would propose alternatives:

- Tenant choice – the option to stop removing floor coverings during the void process unless the incoming tenant has specifically asked for these to be removed (unless there are health and safety issues with existing flooring). The exact detail of the flooring (e.g. loose lay or glued down) is for the landlord to determine.
- A clear policy should be in place that the maintenance responsibility is with the tenant. The landlord can ‘gift’ the flooring to the tenant to remove ongoing maintenance obligations.
- Regulation could be focused on providing financial support to those most in need.
- Providing floor coverings in kitchens and bathrooms only may be an option in areas of high moisture levels.
- A pilot approach to testing how this could work in the social housing sector to explore how to ensure that the implementation of floor coverings is achievable and effective (see Case Study below). We support calls of other sector organisations, CIH and NHF, to explore the issues of when and how to implement this proposal.

CASE STUDY Thirteen Housing Group - Thirteen is one of the few providers to make this investment across its portfolio. Thirteen spends around £1.6m a year on carpets, (with 94% of relets having at least some spend on floor coverings in the last financial year). This is matched by the amount it saves from the reduction in voids: now down from 3,500 a year to around 2,300, and fewer repairs due to the tenants taking better care of the property. The cost of doing this work is much lower for the landlord than it would be for the tenants, because they were able to buy from direct retailers and negotiate with local fitters.

CASE STUDY Welsh Housing Quality Standard – “Floor coverings must be present at change of tenancy. However, floor coverings do not need to be replaced if they are suitable, appropriate and in good condition. When deciding on whether floor coverings are suitable and appropriate, consideration should be given to the specific needs of the tenant, and the durability and maintenance requirements. Choice should be offered where possible. The exact detail of the flooring (e.g. loose lay or glued down) is for the landlord to determine. The

landlord can ‘gift’ the flooring to the tenant to remove ongoing maintenance obligations.”

If a test and learn approach is taken, one of the issues members stressed was the importance of making the policy as affordable as possible (e.g. carpet tiles being deemed compliant), minimising the scope for having to renew floor coverings unnecessarily, and therefore reduce waste, and ensure that tenant choice could be factored in to decisions

Questions 25 (Landlords only): To help us better assess the impact and know more about the detail of how you currently operate in the relation to providing floor coverings, we are interested in the following:

a) Do you provide floor coverings in any of your dwellings?

b) If you responded Yes to part a) to providing floor coverings, can you provide details of costs here?

c) If you responded Yes to part a), in regard to responsibility of repair and maintenance for floor coverings do you: (please select one)

- Gift flooring to tenants and they are responsible for on-going repair and maintenance
- Carry out or have responsibility for repair and maintenance of flooring as part of, for example, tenancy agreements
- Other (please provide details)
- Not applicable

d) If you answered Yes to part a) to providing floor coverings, in the dwellings you let, which rooms do you currently provide them in? (select all that apply)

- All rooms
- Bedrooms
- Living room
- Kitchen
- Bathroom
- Other areas (including stairs, hallways)
- Varies by property
- Other e.g. new builds (please provide details)
- Not applicable

e) When or if you replace floor coverings in the dwellings you let, do you? (select one)

- Always replace floor coverings for new tenancies
- Sometimes replace floor coverings for new tenancies
- Only replace floor coverings if tenants request it
- Allow tenants to replace floor coverings themselves

- Provide support for tenants to replace floor coverings themselves
- Never replace floor coverings
- Other (please provide details)
- Not applicable

f) What proportion of your new lettings do you expect would require new floor coverings (including replacements) each year?

- 0% to 25%
- 26% to 50%
- 51% to 75%
- 76% to 100%
- Not applicable

g) What proportion of your new lettings do you expect to reuse and clean existing floor coverings (rather than provide new replacements) each year?

- 0% to 25%
- 26% to 50%
- 51% to 75%
- 76% to 100%
- Not applicable

h) If floor covering were to form part of the DHS, do you agree with the proposed measurement approach for whether a dwelling passes or fails the suitable floor coverings element of the standard?

YES

Proposal 6: Streamline and update thermal comfort requirements (Criterion D)

Question 26:

Do you agree with the proposal that the primary heating system must have a distribution system sufficient to provide heat to the whole home?

YES

But consideration should be given to very low energy homes where the key design features include super insulation and minimal thermal bridging, stringent levels of airtightness and mechanical ventilation with heat recovery.

Homes that are built to Passivhaus standards eliminate the need for space heating and cooling, based on the principle that reducing heating loss to a minimum is the most cost-effective and most robust way of achieving a low carbon building.

Question 27:

Are there other thermal comfort requirements that you think should be included in the DHS beyond current MEES proposals?

NO

Over-heating - Some members noted the importance of recognition that higher levels of insulation will require a more active approach to ventilation. Interventions which improve insulating performance should be calibrated with overheating solutions such as shading, and ventilation and cooling mechanisms. This approach also allows for humidity control and should avoid mould/condensation issues, which have been raised earlier in the DHS review process in relation to kitchens and bathrooms.

This is increasingly important due to climate change and aligns with broader climate adaptation goals.

Question 28:

If there is anything else, you would like to add on this specific topic please do so here

Proposal 7: Properties should be free from damp and mould (Criterion E)

Question 29:

a) Our expectation is that, to meet the DHS, landlords should ensure their properties are free from damp and mould. Do you agree with this approach?

YES

Our discussion with members demonstrates their ambition to move to a more proactive management of potential risks and promptly diagnosing and preventing issues which may arise from damp and mould in their properties. For example, damp surveys are included in void inspections. Also, enhanced training aims to ensure that any visit to a property fixing a separate problem will look for evidence of condensation damp and mould.

Although we have agreed to this approach, our members have requested a change to the wording of the standard, that “properties are free from damp and mould.”

This wording, and aspiration, was viewed to be significantly more challenging than the proposals in Awaab’s Law to address issues with damp and mould to prescribed timescales, and in some cases impossible. Properties with very low levels of mould, such as spots around baths or windows, which aren’t necessarily due to building faults and could be easily managed by most tenants through a weekly cleaning routine, would be classified as non-decent.

One of our members said, *“It will be challenging to monitor and control, given that the presence of damp and mould may alter and change during the course of year as weather patterns change.”*

We would propose that the wording of the standard be changed from ‘free from damp and mould’ to something more practical and aligned to Awaab’s Law.

We would welcome guidance to understand the best way to consider and assess risk on this new criterion.

b) Criterion E will be in addition to the requirements under Awaab's Law as it aims to prevent damp and mould reaching a level that is hazardous. If, however, damp and mould in a property were to become severe enough to cause 'significant harm', landlords would have to comply with Awaab's Law to ensure prompt remediation and, if they do not, tenants will be able to take action in the courts. The damp and mould standard in the DHS should however help to prevent damp and mould getting that severe. Do you agree with this approach?

NO

We have significant concerns about the impact of introducing the detail of this proposal – as a separate standard to Awaab's Law – which risks a considerable increase in spurious disrepair claims which are not in the interest of tenants.

We fully support the principles of Awaab's Law, but we have concerns about some of the detail included in the proposed standard and the unintended consequences of this addition. Specifically, the wording of this addition could drive up disreputable disrepair claims while at the same time failing to deliver improvements in tenants' homes.

Question 30:

To ensure the standard is met, regulators and enforcers will consider whether the home is free from damp and mould at bands A to H of the HHSRS, excluding only the mildest damp and mould hazards? Do you agree with this approach?

NO

The current HHSRS guidance distinguishes between Category 1 and Category 2 hazards. Treating Category 2 hazards as a failure to meet the Decent Homes Standard could substantially affect provider compliance and may not incentivise landlords to take appropriate or proportionate action in addressing hazards.

One of our members said *"only homes where a Category 1 hazard is present in relation to damp and mould should fail to meet Decent Homes Standard. Awaab's Law will provide a clear and measured approach for Registered Providers to respond to all damp and mould cases, regardless of their severity. The proposed approach in this consultation is not aligned with Awaab's Law and will be difficult to measure."*

Another member said, *"This creates a two-tier system, you've got something that's a DHS fail, but not an emergency repair to address as a priority."*

We believe the conclusions of the current HHSRS classifications may help with the assessment of the new criterion.

A LA member made the point *"HHSRS is our bread and butter – we use it every day and it's not clear how this will be aligned. We need to know how this will interact with existing enforcement."*

Question 31:

If there is anything else you would like to add on this specific proposal please do so here.

We agree with the proactive approach to prevention of damp and mould becoming severe, but we have concerns about the interaction between the requirements of Awaab's Law, the HHSRS and the proposals for the standard.

The Decent Homes Standard sets a different and higher standard on the management of damp and mould than the proposals for Awaab's Law. So that a home might fail the DHS without triggering enforcement under the HHSRS. Failures of the standard may not always meet the thresholds for hazard-based action.

The impact assessment acknowledges that the proposed dual-framework, combining the HHSRS (risk-based hazard assessments) with the reformed DHS (standard-based compliance system), *"Setting the damp and mould standard at a sufficiently high level would mean that, in most cases, properties would be required to be kept in better condition than the bar set by the current HHSRS requirements"* but doesn't assess the likely operational challenges.

For local authorities, this reinforces the need to integrate DHS assessments within existing housing inspection processes and to develop robust protocols for when a dwelling may fail the DHS but not meet the threshold for HHSRS enforcement. It is not clear how this dual operation will work in practice, including how local authorities can apply both frameworks effectively without duplication or legal conflict.

For example, the current DHS Guidance 2006 states *"Landlords are not expected to remove a category 1 hazard where there are serious practical difficulties. For example, the risk of falls in relation to stairs may be difficult to eliminate completely in certain properties - landlords should do what they can to lower the risk and ensure that the occupier is aware that some risk remains."*

It is not clear if the tone and impact of the current proposals allow for this level of practical interpretation.

We are concerned about how these frameworks can best align in practice, and the need for clear guidance to avoid duplication, overlap or inconsistency in enforcement.

Clear statutory guidance will be needed to support consistent enforcement and considerations to this should be included within the final impact assessment.

Temporary accommodation

Section 4 – Application of the DHS to temporary accommodation and supported housing and implications for leasehold and commonhold tenants and landlords

Question 32:

Do you agree all other aspects of the DHS in relation to bathrooms and facilities should still apply to temporary accommodation which lacks kitchen and cooking facilities and/or separate bathroom facilities?

YES

However, the impact assessment should fully assess the challenges in meeting these standards across such a wide range of temporary accommodation types as this presents considerable challenges for local authorities.

We recommend that the final guidance includes flexibility in implementation, alongside clear definitions of acceptable standards for these facilities. Additionally, support for providers, such as phased compliance options, will be essential to ensure that the standard is both achievable and meaningful in practice.

Question 33:

a) Are there any other elements of the DHS which have not already been identified which are likely to be challenging to apply to temporary accommodation?

YES

b) If answered yes to Q33a), please give details

It should be acknowledged in the standard that to quickly respond to need, homes may initially be lower than social housing standards.

For local authorities to be able to urgently respond to need, homes may not initially meet minimum standards. Where accommodation is required for use in emergency situations, we propose that it can be improved to meet a minimum standard within a set time period, while being put to use.

If temporary accommodation is to be upgraded to meet the standard, the inclusion of a flexible implementation period is essential.

Local authorities will need to carry out inspections of housing before it is used as temporary accommodation to ensure it meets the standard. Support in line with the new burdens to local authorities will ensure that they can carry out and report on these inspections.

Question 34:

Do you think the proposed DHS requirements will impact temporary accommodation supply?

YES

There is a temporary accommodation crisis, and the reformed standard could contribute to reducing supply further.

Local authorities we consulted raised concerns about growing pressure on the availability of temporary accommodation. There were 12,660 households in temporary accommodation in the north by mid-2024, a northern increase of 15.9% in the year up to 2024. The North East had the highest rise in the country (38.7%), followed by Yorkshire and the Humber at 28.8%.

The current supply is already stretched due to increasing demand linked to homelessness duties.

Supported housing

Question 35:

a) Are there any challenges you foresee in applying the outlined DHS proposals in Supported Housing?

YES

b) If you have any views on this specific question you would like to share, please provide details

There will be a challenge in applying the new standard, alongside the other expectations of the Supported Housing (Regulatory Oversight) Act, potentially reducing the availability of supporting housing. This could impact on the viability of many schemes and lead to providers exiting the market.

It is important that accommodation used for supported housing is of good quality but if a home has Category 2 hazards, licensing authorities may still decide to keep the property in use where there is a clear plan for improvements.

Leasehold and commonhold

Question 36:

a) Do you agree with the proposed approach to enforcement for rented properties that are leasehold?

Don't Know

b) Do you see any unintended consequences or risks with this approach, including for resident-owned blocks? Open text

Question 37:

a) Do you feel that any of the proposed policies create costs for leaseholders (including owner occupiers who live in mixed-tenure buildings) that go beyond what they would expect to cover currently in terms of repair and maintenance liabilities?

Don't Know

b) If you have any views on this specific question you would like to share, please do so here

Section 5 – Guidance

Question 38:

a) What information and/or topics would you like included in the proposed additional best practice guidance for social and private landlords and tenants? (Select all that apply)

Please select what you would like to include:

- Accessibility ✓
- Additional home security measures e.g. external lighting and CCTV ✓
- Adaptations to climate change ✓
- Digital connectivity ✓

- Electrical Vehicle Charging ✓
- Furniture provision ✓
- Water efficiency measures ✓
- Other ✓

b) If you have selected 'Other', please say what you would like to be included

Question 39:

If you have any other views on this specific topic you would like to share, please do so here

The guidance should allow for elements of the standard which can apply differently to both tenures, for example, the link to age of components for social landlords should be included in guidance.

Section 6 – Implementing the Decent Homes Standard

Monitoring the DHS

Question 40 (All):

a) What do you think the implementation date for the DHS should be in the SRS?

2035

Overall, members felt that the lead in time was helpful with a 10-year implementation timeline, as adopted in the previous Decent Homes programme.

Meeting the new standard within a short timeframe may result in large volumes of components, such as kitchens, windows, and roofs, reaching the end of their lifecycle simultaneously. This issue is particularly pronounced in blocks of flats, where multiple key elements (including windows, doors, roof coverings and structures, electrical wiring, storage heaters, and kitchens) typically share a 30-year lifespan.

A longer implementation time would enable providers to achieve economies of scale through strategic procurement, smoothing delivery peaks and securing better value for money. Long-term planning also supports more efficient resource allocation and programme management.

Smaller housing associations, typically those managing fewer than 1,000 homes, often face limited access to funding. The introduction of higher housing standards is likely to increase pressure on their operational budgets. Allowing these organisations sufficient time to plan collaborative approaches could help them achieve better value for money through joint procurement of materials and services, share expertise and resources and strengthen capacity within the supply chain.

b) If Other – What do you think the implementation date should be? (Please select one)

2027 / 2028 / 2029 / 2030 / 2031 / 2032 / 2033 / 2034 / 2036 / Later/Don't know

Question 41 (All):

a) What do you think the implementation date for the DHS should be in the PRS?

2035

Some members thought the options for the PRS were too far in the future.

Local authority enforcement teams support the introduction of the Decent Homes Standard in the Private Rented Sector, but a phased implementation with full compliance by 2035 may allow for effective planning, engagement with landlords, and alignment with existing enforcement frameworks.

b) If Other – What do you think the implementation date should be? (Please select one)

2027 / 2028 / 2029 / 2030 / 2031 / 2032/ 2033 / 2034 / 2036 / Later/Don't know

Question 42 (All):

a) Do you support phasing in some elements of the new Decent Homes Standard ahead of the proposed full implementation dates (2035/2037)?

YES, for private rented sector

Members broadly support the principle of phasing in elements of the new Decent Homes Standard ahead of full implementation, provided that the approach is carefully planned and resourced.

Members caution that phased implementation must not outpace local capacity. Many teams are already stretched, and introducing new requirements without adequate guidance, funding, and staffing could undermine enforcement efforts and lead to inconsistent application.

For the social rented sector, a phased implementation may help to reduce the financial impacts in the short term, although social landlords would require clarity on the types of funding that are likely to be available for implementing the additional requirements of the standard. Registered Providers are facing many competing priorities. Upgrading all homes to EPC C by 2030 will be a considerable financial burden and making any changes prior to that would be challenging. For smaller housing associations, with more limited staff capacity, stricter regulations and housing standards will require time and resources to be able to comply. For social housing providers, longer-term asset management priorities align to 30-year business plans with homes and components surveyed in advance of replacement within the annual programme with variations recorded in the database. It is therefore not recommended that a phasing element is imposed centrally.

Key considerations for successful phasing include:

- **Clear prioritisation** of which elements should be introduced early (e.g. window restrictors, secure doors, or damp and mould standards).
- **Early introduction of certain components** - particularly those related to health and safety could deliver immediate benefits for tenants and help build momentum for wider compliance.
- **Sufficient lead-in time** for landlords and enforcement teams to prepare, including training and communication.

b) If Yes – Which elements of the new DHS do you think should be introduced ahead of the proposed full implementation dates (2035/2037)? Open text

Question 43 (For SRS and PRS landlords only):

Are you confident in your ability to deliver works to meet the updated Decent Homes Standard by the proposed implementation dates (2035/2037)?

a) For Social Housing Landlords only: Within current income forecasts in the SRS?

Not applicable

b) For all Landlords: Alongside other regulatory requirements including Awaab's Law and MEES?

Not applicable

c) Please give supporting details?

Question 44 (For SRS and PRS landlords only):

Considering the need to meet both Minimum Energy Efficiency Standards and the Decent Homes Standard, do you plan to deliver savings by:

a) Prioritising measures which will both improve a property's energy efficiency and help meet the DHS?

Not applicable

b) Reducing overhead costs by programming combined works to meet both standards?

Not applicable

c) Please give supporting details Open text

Question 45 (SRS landlords only)

Will achieving the updated Decent Homes Standard by the proposed implementation dates (2035/2037) only be achievable by reducing discretionary spending compared to your current plans?

a) YES

b) Please providing supporting detail

We believe that a key requirement for the new standard is that the final impact assessment should provide a comprehensive evaluation of the full costs involved. The final assessment of costs must include detailed modelling which can be gained by working with individual social landlords, to understand the reality in practice and any risk of trade-offs with supply.

Even at this preliminary stage, our brief assessment indicates that the costs of implementing the standard at the regional level are considerable.

One of our members told us *"The revised Decent Homes Standard could cost us an additional £1.9m per annum on top of what is currently in our business plan, before inflation. This figure is an estimated projectionthe costs may be higher."*

Cost implications of the revised DHS – regional assessment: during our member consultation, there was a widely held view that the new standard will have significant costs

in excess of those estimated in the interim impact assessment, which will clearly have an effect on other investment by social landlords.

In the North of England, of the 1.2 million private rented homes 336,000 (27%) are non-decent. There are 1.3 million social rented homes and 136,000 (10.6%) are non-decent. The most recent English Housing Survey assessment of costs to make decent are below.

Costs to make decent by region and tenure (existing standard)

	Private Renters (per dwelling)	Number of non-decent PRS dwellings	Total (median) costs to make PRS decent (existing standard)	Social Renters (per dwelling)	Number of non-decent Social dwellings	Total (median) costs to make SRS decent (existing standard)
North East	£14,321	48,000	£687,408,000	£6,203	25,000	£155,075,000
North West	£8,381	152,000	£1,273,912,000	£5,587	55,000	£307,285,000
Yorkshire & the Humber	£9,191	136,000	£1,249,976,000	£4,416	56,000	£247,296,000
Total		336,000	£3,211,296,000		136,000	£709,656,000

Source: The EHS Quality and Condition report 2022-23

The impact assessment analysis concludes that the updated standard will introduce compliance costs of £2.7bn-£2.8bn to the private rented sector and £1.2bn-£1.3bn to the social rented sector (England-wide).

As our analysis shows that just meeting the existing standard equates to over £700 million for social housing in the North of England, and over £3 billion for the private rented sector in the North to meet the current standard – a total of around £4 billion. We feel this is evidence of an under-estimate of the additional compliance costs for the proposed standard.

Additional costs (regional) – The impact assessment estimates the median additional cost per affected dwelling (i.e. a cost beyond existing obligations) to meet the revised standard for consultation is £3,439 in the social rented sector and £5,240 in the private rented sector

It concludes that, while the updated standard will introduce additional compliance costs these are estimated to be faced by 7% of PRS dwellings and by only 6% of all SRS dwellings.

Additional costs – Regional analysis

	PRS (unit cost £5,240)	Cost (7% of dwellings)	SRS (unit cost £3,439)	Cost (6% of dwellings)
North East	15,470	£81,062,800	17,082	£58,763,898
North West	40,698	£213,257,520	35,088	£120,648,432
Yorkshire & the Humber	25,200	£132,048,000	30,275	£104,093,725
Total		£426,365,920		£283,506,055

The additional costs for the North at median estimates, for the percentages suggested by the impact assessment, will be an additional £710 million for the North.

Updated list of building components - In north the percentage of non-decency is expected to increase, largely based on the new disrepair criterion related to the additions to the list of building components.

	PRS (fails current standard)	PRS (fails revised standard)	Social rented (fails current standard)	Social rented (fails revised standard)
North East	27.9%	54.7%	12.3%	38.0%
North West	25.9%	51.7%	9.9%	38.4%
Yorkshire & the Humber	33.7%	59.6%	11.5%	42.5%

The list of additional building components with proposals to bring walls, internal doors, lifts, stairways, entry systems and (in the SRS) external areas into scope will generate additional major works costs. These proposed additions to the standard are currently not estimated with funding requirements.

Question 46 (For PRS landlords and tenants):

a) Do you agree that only criterion A should be a Type 1 DHS requirement?

Not applicable

b) If No – which other criteria do you think should be a Type 1 DHS requirement?

Criterion B / Criterion C / Criterion D / Criterion E/ Other/ Not applicable (Select all that apply)

c) Please give supporting details

Open text

Question 47: (For All)

If there is anything else you would like to add on this specific section? If so, please do so here Open Text

Social Rented Sector

Section 7 – Meeting the Standard

Question 48:

a) Do you agree that providers should be given flexibility from meeting the DHS where tenants refuse access?

YES

b) Do you agree that there should be additional guidance issued by the government to provide more detail on tenant refusals?

YES

c) Do you agree that providers should be given flexibility from meeting the DHS where there are physical or planning factors preventing compliance?

YES

d) Do you agree that providers should be given flexibility from meeting the DHS for non-compliance due to sale, demolition, or planned regeneration of properties?

YES

Registered Providers are already accustomed to meeting the Decent Homes Standard, but they nonetheless remain concerned about the potential impact of a more stringent version, particularly given the age of some of the housing stock they manage.

In the North, there are nearly 3 million pre-1944 properties and over one million 1960's/70's construction. One third of social rented dwellings were built between 1945 and 1964 and 7% of social rented homes are pre-1919.

There are approximately 366,000 privately rented homes and 136,000 social rented homes that do not meet the current Decent Homes Standard. The prospect of the investment needed to make older housing fit for the future may increase the likelihood of looking for other options for demolition and regeneration.

The 2006 DHS guidance stated, "*Local authorities must consider how Decent Homes feeds into wider regeneration strategies such as Market Renewal Pathfinder schemes; it may not be necessary to make homes decent when demolition and new build may be more appropriate.*"¹

We note that the proposed standard promotes flexibility to allows landlords to manage their stock strategically, focusing investment on homes that will remain in use long-term. We feel the current standard goes further than the suggested approach in the proposed standard in supporting wider regeneration strategies.

We acknowledge the Government has provided the biggest boost to social and affordable housing investment in a generation, confirming £39 billion for a successor to the Affordable Homes Programme (AHP) over 10 years. The new Affordable Homes Programme should offer continued flexibility to replace existing homes that don't meet the needs of communities.

Across the North, we have estimated that 126,000 social homes are in areas deemed in need of a physical regeneration demonstrating a high level of demand for regeneration funding, plus more than a quarter of private rented homes in the North not meeting Decent Homes Standards.

Any future funding to improve housing standards should be considered alongside funding for regeneration to deal with stock at the end of its life, and the need to invest in the redevelopment of places and communities across the North.

We would like to see the continuance in the final guidance document to support better planning and prioritisation of regeneration schemes which aim to improve housing quality at scale.

e) If there is anything else you would like to add on this specific question please do so here.

¹ A Decent Home: Definition and guidance for implementation 2006

Private Rented Sector

Question 49:

- a) **Do you agree that statutory enforcement guidance should specify that local authorities should exercise discretion on enforcement when physical or planning factors prevent compliance with a DHS requirement?**

YES

- b) **Should statutory enforcement guidance specify that local authorities exercise discretion on enforcement in situations of tenant refusal?**

YES

- c) **If there is anything else you would like to add on this specific question please do so here.**

We welcome the extension of the Decent Homes Standard to the private rented sector.

The capacity of local authorities to monitor compliance and take enforcement action when needed will be key to its successful implementation. This must be viewed in the context of spending on local authority housing services across the North being reduced.

- Local authorities in the North of England have seen larger reductions in funding than England as a whole. Total net-expenditure on local authority services has fallen by 30.2% since 2010/11 in the North, compared to 28.5% nationally.
- Even larger respective reductions in expenditure can be found in areas such as housing strategy, advice and enabling (71%), cultural and related services (45%), community safety interventions (61%) and building control, development control and planning policy (51%), all of which are to some extent non-statutory.
- Councils in the North are facing significant financial challenges due to the rising costs of statutory duties, including the provision of homelessness support and temporary accommodation. In the last five years, expenditure in this area has more than trebled to more than £270 million a year.

We are encouraged by the wider measures in the Renters' Rights Bill to strengthen enforcement powers and introduce the PRS database which will help local authorities target enforcement action more effectively.

We also welcome the proposals to increase fines and penalties and to introduce this measure earlier than other reforms. This could provide substantial levels of funding for inspections and enforcement action, as long as the money goes to the enforcement teams.

The final impact assessment should assess how much additional support local authorities will need to enforce these new requirements adequately in the PRS, in line with the new burdens. Without additional staff being supported through new burdens funding, local authorities will be unlikely to be able to enforce standards in the private rented sector, rendering the Government reforms moot.

For further information about this response, please contact:

Karen Brown

Senior Policy Advisor

Northern Housing Consortium

0191 566 1021

Karen.brown@northern-consortium.org.uk

www.northern-consortium.org.uk