

Rt Hon Michael Gove MP
Secretary of State for Levelling up
Housing & Communities
Minister for Intergovernmental
Relations
Department for Levelling Up, Housing
and Communities
4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Via email@
Ministerial.Correspondence@levellingup.gov.uk

From
Mrs Wendy Perera
Chief Executive
Isle of Wight Council
County Hall
High Street
Newport
Isle of Wight
PO30 1UD

Tel (01983) 821000
Email wendy.perera@iow.gov.uk
Web www.iwight.com

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Dear Mr Gove, Ms Crowther and Ms Spencer

HOUSING STANDARDS IN RENTED PROPERTIES IN ENGLAND

Thank you for your recent correspondence of 19 and 25 November 2022 requesting information in relation to the above. I have noted the deadline dates of the 30 November and 27 January and will endeavour to provide a full response to your queries.

Please find our initial response as follows:

- 1. Action with regard to duties under section 3(3) of the housing Act 2004**
- have particular regard to high scoring (bands D and E) category 2 damp and mould hazards, as outlined in the guidance 'Housing health and safety rating system (HHSRS) enforcement guidance: housing conditions**

The Isle of Wight council has updated our procedure with immediate effect having regard to high scoring category 2 damp and mould hazards. This will have the effect that any identified hazards of these scales will more likely be dealt with by an Improvement Notice rather than a Hazard Awareness Notice should formal action be required.

- supply the department with an assessment of damp and mould issues affecting privately rented properties in your area, including the prevalence of category 1 and 2 damp and mould hazards;**

In the last year we have identified (through enquiries received) that 63% of private rented dwellings suffer incidence of dampness and mould growth. On this basis it could imply that 9,117 (63%) of the

estimated 14,500 private rented sector dwellings on the Isle of Wight are likely to suffer with damp and mould growth to some extent throughout the year.

The incidence of category 1 damp and mould hazards are quite rare (we have not had any cases of category 1), and the majority of incidence is in the range of category 2 hazards, mostly low risk and relatively insignificant and manageable for occupiers.

Of the 9,117 estimated incidence it is assumed that the majority of the households are resolving the issues themselves and with the assistance of their landlords, or simply living with these incidences. There is likely to be a small percentage that suffer dampness but who are then for various reasons unable or unwilling to involve the local authority.

- **supply the department with an assessment of action you have identified that may need to be taken in relation to damp and mould issues affecting privately rented properties in your area.**

The Isle of Wight Council recognises that there is a significant risk arising in terms of rising energy costs, which will lead tenants to turn their heating down or off, and subsequently close windows and not ventilate adequately, which will increase/exacerbate damp and mould growth problems. There is also a risk of disproportionate enforcement and media attention which may cause landlords to leave the sector resulting in additional housing crisis pressures.

The actions we feel are appropriate are:

- Continue with existing processes to intervene with cases where appropriate and necessary
- Endeavour to be proactive in contacting PRS landlords and agents with a view to better damp and mould guidance and awareness for tenants. E.g. contacting licensing HMOs and information dissemination at landlord forums etc.
- Raise awareness for tenants

2. Activity over the last 3 years

Activity area	2019/20	2020/21	2021/22	
How many damp and mould hazards you have remediated, compared to your assessment of the prevalence of these hazards	89 enquiries 86 resolved	80 enquiries 80 resolved	72 enquiries 71 resolved	We received 241 enquiries from PRS tenants in relation to damp and mould between April 2019 and March 2022, of which 237 cases have been resolved.
how many times you have taken enforcement action to remedy damp and mould hazards and the form this has taken	89 pre-enforcement intervention No notices	80 pre-enforcement intervention 2 Hazard Awareness Notices 1 Emergency Remedial Action	72 pre-enforcement intervention 1 Hazard Awareness Notice 9 Improvement Notices	In all 241 cases enforcement intervention was undertaken by informal action. Some cases of which ended with formal enforcement action (Improvement Notice 10, Hazard Awareness Notice 3, Emergency Remedial Action 1). 4 cases are still having enforcement intervention.
how many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould hazards	0	0	0	
how many prosecutions have been successfully pursued in relation to damp and mould hazards	0	0	0	None, all notices have been complied with. Noting that 4 are still having enforcement intervention.

3. How you are prioritising enforcement of housing standards more generally in your authority, across all tenures, including what plans you have to ensure adequate enforcement capacity to drive up standards in the private rented sector

Tenants of any tenure and landlords are able to access our website which provides initial information about housing standards, responsibilities, and guidance for tenants to raise issues first with their landlords. There is also dedicated web advice in regard to Damp and Mould growth, Carbon Monoxide, Gas safety, HMOs and their standards.

Tenants have the ability to contact us by telephone, email, web e-form, or in person.

To manage the demand for enquiries with the limited resources available a risk-based approach has been adopted to intervention. All enquiries are triaged to gather the necessary information to establish the risks. Priority is given to higher risk cases and are allocated to an officer immediately for investigation. Priority will be cases that involve;

1. Fire risk
2. Imminent structural collapse
3. Carbon Monoxide
4. No heating and an occupier in the vulnerable group for HHSRS
5. Falls from significant height and an occupier or regular visitor in the vulnerable group
6. Moderate other hazards with a "vulnerable" occupier in terms of age, disability, or other relevant vulnerable factor that hinders their ability to resolve the issue with their landlord
7. Lack of toileting amenities
8. Professional referral that is validated by the manager/senior as being important/urgent

Such cases will infer an IMMEDIATE RISK OF HARM to any occupiers.

All other enquiries are given immediate advice and guidance verbally and/or in writing, directed to the website for further advice on resolving their issues directly with their landlord, and placed on a waiting list to be contacted and investigated when officer time becomes available, typically 6 weeks.

The council operates mandatory HMO licensing, which includes at least three inspections in any five-year period, along with all other normal annual checks (e.g. Gas Safety certificates).

The council has a civil penalty policy, a Minimum Energy Efficiency Standards policy, a Smoke and Carbon Monoxide Alarm regulations policy, and is in the process of adopting an Electrical Safety regulations policy.

The Authority is currently considering its budget allocation for 2023/24 including savings to cover shortfall in the council's overall budget. Whilst it will be challenging to increase current capacity to guarantee resource to deal specifically with damp and mould, I would like to provide reassurance that our resources will be prioritise to those cases of high risk and vulnerability.

I hope this provides the information you require, should you need anything further please do not hesitate to contact Amanda Gregory – Strategic Manager for Regulatory and Community Safety using the contact details provided above.

Yours sincerely,



Wendy Perera
Chief Executive

cc Cllr Ian Stephens, Cabinet Member for Digital Transformation, Homelessness, Housing and Poverty
Colin Rowland, Director of Neighbourhoods