
Improving the Private Rented Sector

A private rented sector policy for Hammersmith and Fulham

February 2024

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FOREWORD

A safe and affordable home is a fundamental right for everyone. Whether a home is owned, rented privately or from the Council or Housing Association, we know a good, decent and safe home contributes positively to health, wellbeing, stability and society. Having somewhere to call home is a crucial foundation for everyone; providing warmth, comfort, a space to be ourselves, and a place to enjoy with loved ones.

We want H&F to be the best place to live in London. A borough for residents to thrive and fulfil their ambitions.

We believe private renters in the borough should live in safe and secure homes, without the fear of eviction. Renters should rightly expect their homes to be well-maintained and comfortable, with fully functioning amenities and responsive landlords who treat renters fairly and care about creating a pleasant living environment.

To do this, we need to see improvements in the rights and security of renters, a renewed focus on landlord responsiveness, and accountability for the quality and maintenance of their properties. We will achieve this by working with tenants and the many landlords that already provide good quality housing in the borough, enforcing measures against those landlords who don't, to improve homes for renters. We will also continue to pressurise the government to bring about improvements in the private rented sector, and to fix the national housing crisis.

This policy sets out our ambition for private rented housing standards in H&F to be the best in the country. It has been developed with private renters, landlords, officers and stakeholders, and outlines our commitments to ensure everyone has a secure, well maintained rental accommodation to call home in the borough.

Cllr Frances Umeh

Cabinet Member for Housing and Homelessness

OUR VISION

The private rented housing sector has seen large growth in recent decades, and more H&F residents are living in the Private Rented Sector (PRS) than ever before. The PRS fulfils an important role in the local housing market. Affordable, accessible, secure and high-quality private rented housing is what many of our residents require to ensure that the borough remains a place where people want to live, work, and thrive.

PRS homes are properties which are owned by a private landlord and leased to a tenant under a tenancy agreement, either directly from a private landlord or through an intermediary such as an estate agency or management company.

Our aspiration is to tilt the balance of power back into the hands of tenants, and to improve private rented housing standards to make them among the best in London. We will achieve this by working with tenants and landlords, focusing our resources on the market's poorest performing sub-sectors, and delivering robust enforcement action to challenge unfair and illegal landlord behaviour.

We have many exemplary landlords, including local residents, and letting agencies operating across the borough that provide an important, professional, and dependable service. They are hugely valued, and we want to retain them and add to their number to ensure good practice is delivered to our residents.

Under this Administration, we have clamped down on rogue landlords and helped our residents into better housing, using selective licensing powers to drive up private renting standards in areas that need it most. We will remain resolute in not allowing a small minority of poorly performing landlords to exploit residents through illegal and rogue practices.

This policy brings a refreshed and renewed focus to how we will tackle poorly performing parts of the PRS market, setting a clear course of action for the future. Much of this policy highlights the positive work already being undertaken by H&F, but also outlines new work and progress we are seeking to improve the sector going forward. This document should be read in conjunction with our Housing Strategy and Older and Disabled Peoples Housing Strategies¹, which provides the overarching framework for delivering our housing services and improving the local housing market.

¹ H&F Housing Strategy.. Available [here](#).

THE PRIVATE RENTED SECTOR IN H&F

For a number of years, we have been delivering a comprehensive set of measures designed to improve the experience of private renting in our borough, by driving up standards through effective regulation and enforcement. At the heart of this long-standing approach has been our Private Rented Sector Licensing schemes, which have required landlords to register their properties and offer a decent standard of housing.

The Council's Private Sector Housing Team takes a multi-disciplinary approach to improving the PRS, working across Trading Standards, Environmental Health, and Housing and Homelessness services to deliver a range of statutory duties and discretionary work to improve our local PRS. Their work includes inspecting private homes using the Housing Health & Safety Rating System and managing our mandatory and discretionary private sector licensing schemes, to help reduce anti-social behaviours and drive up standards. The team also inspect high risk buildings (over 18 metres in height) and have other responsibilities to deal with minimum energy efficiency standards, empty properties and other public health related functions.

Measures driven forward by our Private Sector Housing Team in recent years have included:

- Launching and incentivising sign up to H&F's Landlord's Charter
- Promotion of the London Landlords Accreditation Scheme and membership of recognised landlords' associations
- Enforcement action taken against hazardous housing conditions and failure to comply with legal obligations, including having secured the largest fine we have ever issued to a private landlord
- Securing affordable home ownership and rental products to meet the needs of Home Buy clients
- Clamping down on rogue landlords, including multiple prosecutions against those guilty of housing offences
- Assisting tenants to obtain Rent Repayment Orders.

As part of our current Housing Strategy (2021-26), H&F consulted with residents, seeking to understand their experiences of the PRS. The messages were clear; high rents are the biggest challenge for private renters; there was a call on the Council to help tackle rogue landlords; and tenants want landlords and managing agents to

respond quickly and efficiently to disrepair reports and compliance with their legal obligations such as deposit protection.

We have responded to these concerns in how we have supported the local PRS since the Housing Strategy was published. However, new factors are impacting on the PRS today. This includes renters facing a cost-of-living crisis, exponential rent rises and spikes in the number of tenants seeing their tenancies ended by Section 21 notices. It is this landscape, with growing concerns about poor standards, security, accessibility and affordability within the PRS, which necessitates the development of this Policy.

The following sections detail how the PRS has changed recently, with the growth in the size of the sector and broadening of who rents in H&F; concerns about the standards of private renting for some residents; rising costs; and the need now for reform.

The rise of private renting

The PRS in H&F has grown significantly in the last two decades and now accounts for approximately 30,000 properties. It is now the largest single tenure, accounting for 36% of homes. As a result, H&F has one of the highest densities of private rented properties nationally, with greater concentrations in the central and southern areas of the borough.

A range of national policy decisions have led to exponential growth of the sector. Since 1980, the UK has experienced a shift in tenure composition due to the associated effects of: the introduction of Assured Shorthold Tenancies in 1988 and the end of Protected Tenancies; the introduction of Right to Buy in 1980; growth in buy-to-let mortgages during a period of low interest rates; and the significant growth in house prices which has made purchasing unaffordable for many people in London. These influences have contributed to a prolonged contraction in the number of socially rented homes, a reduction in home ownership, with concurrent expansion of the PRS.

Growth in the PRS, however, may be levelling off with the introduction of a further stamp duty surcharge on new purchases in 2016, increased tax burden and reductions in tax relief, and rising interest rates.² However, the New Economics Foundation estimates that between 2021/22 and 2025/26, PRS landlords will be in receipt of over £58bn of local housing allowance and universal credit benefits payments, as there

² Lloyd, T., Grayston, R., and Hudson, N. (2023). *Reboot: building a housing market that works for all*.

remains an insufficient supply of social housing nationally, because of government funding cuts for social housing and policy announcements.

Increasing the number of genuinely affordable and accessible homes in the borough remains a high priority of the Council's Housing Strategy, with our ambition being for 3,000 new affordable homes to be built or underway by 2026. We are continuing to build genuinely social rented homes through our development programme and will continue to demand that developers build 50% affordable homes on their residential



developments. We believe that some private renters may be better suited to live in social housing, if they meet qualifying criteria.

Standards in the PRS

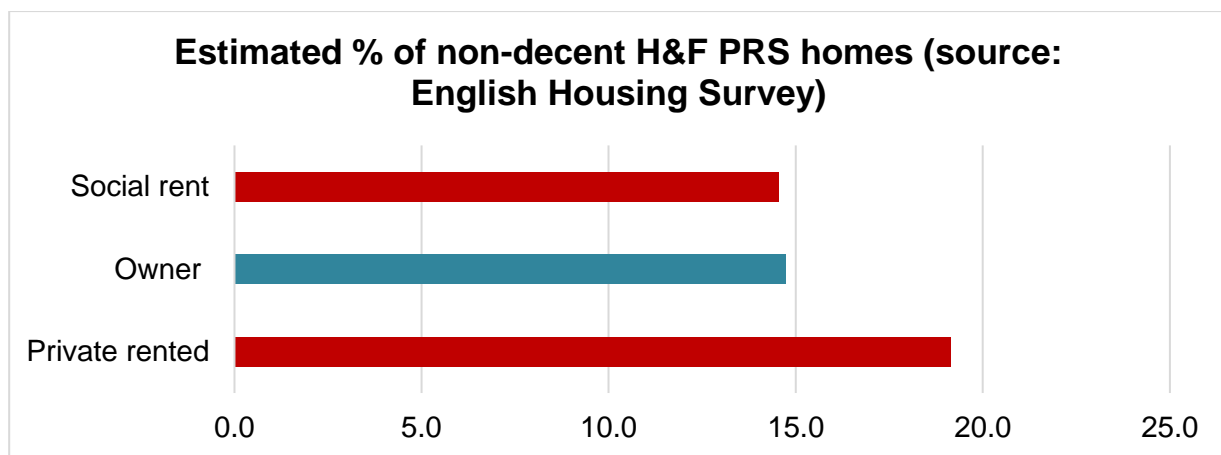
The English Housing Survey has modelled data which suggests that 19% of H&F's homes in the PRS could fall short of the Decent Homes Standard, the minimum legal threshold that must be met by socially rented properties. PRS homes are more likely to fall short when compared to social rented and privately owned homes (each around 14.5%). There are, therefore, thousands of homes in the borough with either safety hazards, poor heating or insulation, or outdated kitchen or bathroom amenities - issues that recent data suggests are confined principally to flats.

Unfortunately, there are instances of 'rogue' landlords who do not fulfil their landlord obligations and fail to keep their properties in a safe and decent condition or manage them properly. In a 2020 survey, we found nearly one third of tenants were not satisfied with the service provided by their landlord, and many were not provided with an

inventory of furnishings.³ Furthermore, there are instances where homes are deliberately kept empty, that could otherwise be occupied by local people.

PRS is the least secure tenure, and tenants' experience of this is often driven by their relationship with their landlord.⁴ Research shows this insecurity can lead to feelings of powerlessness, stigma, financial stress, and anxiety. With so many of the homes in our borough in the PRS, it is vital we respond effectively and swiftly to these problems with a comprehensive plan of action.

London wide data shows that nearly half of PRS homes (46%) had Energy Performance Certificate (EPC) ratings of "D", which could equate to as many as 14,000 homes in H&F. The Government has recently scrapped plans to introduce a national standard from 2025 that would require all PRS homes to hold an EPC C rating (or above) by 2028. For many properties these upgrades could require structural alterations, at significant expense to the property owner, but this would realise significant and material difference to the tenant's standard of living. 2021 Fuel Poverty Statistics showed that 11.3% of households in H&F were fuel poor, having both a low income and low EPC rating, with higher concentrations in the north of the borough. This further penalises private tenants, with EPC 'E' rated properties consuming 48% more gas than those properties with an EPC 'C' rating.⁵



Unlike the social sector, private rented properties are not classified in terms of accessibility. This makes it difficult for Disabled people, who need accessible properties. With a fast-moving PRS market in London, where prospective tenants will out-bid for

³ Appendix 5, Survey of tenants in H&F PRS. Available [here](#).

⁴ Harris, J. 2021. Health and wellbeing in the UK PRS.

⁵ Corlett, A. & Marshall, J. (2022). [Shrinking footprints: The impacts of the net zero transition on households and consumption](#). Resolution Foundation.

properties, there is little incentive for landlords to prioritise tenants based on issues such as accessibility, where further commitments to adaptation might be required.

This can compound an issue in which Disabled people will start from a disadvantaged financial base-line. Non-disabled workers earn approximately 17% more than Disabled workers - with Disabled women this increases to 35% - whilst Disabled workers are over twice as likely to be unemployed as non-disabled workers⁶. Where the cost of social care is incurred, households with at least one Disabled person face costs of nearly £1,000 per month⁷ – pricing many out of the PRS.

The high cost of renting

The number one issue for private renters as part of the consultation on our Housing Strategy was the prohibitively high costs of renting. This pressure has intensified recently with rapidly rising rents and inflation. Figures indicate rental growth on newly let properties during 2022 was 20% in inner London,⁸ with the median monthly rent for a two-bedroom flat in H&F being £1,867 in 2022 – the 7th highest in London.⁹ Given current trends, to rent a comparable property in H&F will soon exceed £25,000 a year – a prohibitively high figure for many households, driving continuous upheaval and turnover of residents in the borough.

According to Trust for London, private renters spend the highest proportion of their income on housing (51%), well above the London average (44%).¹⁰ Approximately 40% of the sector comprises households in the bottom third of incomes. The challenge of affordability has been further exacerbated by the freezing of Local Housing Allowance (LHA) since March 2020 – the cap used by government to calculate Housing Benefit for low-income residents renting from private landlords. Following the November 2023 autumn statement, LHA is set to be unfrozen and increased to 30th percentile of local rents from April 2024. LHA will need to remain in step with living costs going forward if it to remain an effective method of support to renters.

With the high desirability of the borough as a place to live, and unaffordability of home ownership for many, the increased demand for PRS homes means there can be incentives for some landlords to maintain minimum safe housing standards.

⁶ TUC, (2022). [Non-disabled workers paid 17% more than disabled peers – TUC | TUC](#)

⁷ Scope, (2023). [Extra Costs | Disability charity Scope UK](#)

⁸ Hamptons (2023). [Rental index data](#).

⁹ Office for National Statistics, released 14 December 2022. *Private rental market summary statistics in England: October 2021 to September 2022*.

¹⁰ Trust for London, 2023. London rent as a percentage of gross pay. Available [here](#).

Unfortunately, this supply and demand imbalance is particularly pronounced for people living on lower incomes, potentially encouraging unscrupulous landlords operating at the lower end of the market, where people are less likely to complain.¹¹

Private renters in H&F

The English Housing Survey shows that the PRS has a much greater diversity of household types than in the past. The PRS is increasingly being relied on by those who require more than mere flexibility, but also affordability, stability and security, which can be challenging in the PRS. The growing sector means that more younger households, lone parents and single-person households are exposed to a lack of secure tenure, unaffordable housing costs and, consequently, are at risk of financial distress and homelessness.¹² Based on 2011 data, 92% of PRS tenants are aged under 50.¹³

In H&F, 'white' groups are overrepresented in the PRS, accounting for 73% of PRS tenants, despite making up only 63% of the population. This is partly attributable to a significant rise in the number of 'white other' (chiefly European born) residents that make up the largest ethnic group in the PRS (36.4%). Conversely, H&F has the 5th lowest proportion of Black British, Caribbean or African persons in PRS housing in London (3.7%) – despite these groups making up 12.2% of H&F's population and housing preferences tending to be the same regardless of ethnic group.¹⁴

We also know that some ethnic groups are overrepresented in overcrowded and poorly insulated homes,¹⁵ and that Disabled residents and residents from overseas can face more challenges in accessing accommodation.¹⁶ The 2022 English Housing Survey showed that of all groups in the PRS, it is struggling families (typically low-income lone parents) that suffer most with respect to overcrowding, damp and mould and affordability challenges, with singles most at risk of homelessness.

The need for national reform

There is clear evidence that the PRS has become increasingly problematic for our residents, and we must expand our support offer to raise overall standards across the

¹¹ Shelter, 2014. Can't complain. Available [here](#).

¹² Lloyd, T., Grayston, R., and Hudson, N. (2023). *Reboot: building a housing market that works for all*.

¹³ Data Viewer - Nomis - Official Census and Labour Market Statistics

¹⁴ Harries, B, Richardson, L & Soteri-Proctor, A (2008) Housing aspirations for a new generation: perspectives from white and south Asian women. London and York, Chartered Institute for Housing and Joseph Rowntree Foundation

¹⁵ Gulliver, K. (2017). *Racial discrimination in UK housing has a long history and deep roots*.

¹⁶ Grant, S., Peel, CH. (2015). *"No Passport Equals No Home": An independent evaluation of the 'Right to Rent' scheme*.

sector and challenge rogue landlords. We want to redress the balance of power back into the hands of tenants and make our PRS standards among London's best.

To do this, however, we need meaningful national reform, beginning with swift implementation of the Renters Reform Bill and other measures to bring regulation of the sector more in line with social housing. H&F supports abolishing section 21 'no fault' evictions and introducing national measures to better regulate property and landlord quality. We must also be vigilant that other proposed grounds on which to seek possession do not become a vehicle for section 21's by proxy.

New regulations must be allied with additional resources and powers for local authorities such as H&F to enforce at a local level, and an ambitious national funding framework that brings PRS homes up to modern energy efficiency and accessibility standards. With these tools, we can work with residents and landlords to ensure that our private rented housing standards become among the best in London.

OUR STRATEGIC PRIORITIES

To ensure the local PRS can deliver for our residents in the long-term, we have adopted five strategic priorities to ensure our housing standards become among the best in London. Our unique approach responds to what residents have told us they need, but also leading thinking and business intelligence insights that provide the evidence we need to bring about change. In many circumstances, our commitments reflect the need to continue with existing support and enforcement action, but also expand and explore new ways to improve what we do, learning from other areas and pioneering our own ideas.

- Theme 1: Working together with residents and landlords.
- Theme 2: Improving private rented quality, safety and energy efficiency.
- Theme 3: Delivering comprehensive enforcement action.
- Theme 4: A fairer, more inclusive, and accessible private rented sector.
- Theme 5: Shaping the national conversation.

THEME 1: WORKING TOGETHER WITH RESIDENTS AND LANDLORDS

We won't achieve an improved PRS without meaningful engagement and coproduction with tenants and landlords. Our first priority is to listen to, and understand, the needs of local people and the challenges faced locally to inform bespoke support and interventions, in the spirit of doing things with residents, not to them. This means amplifying the voice of residents living in the PRS to ensure they are heard and supported by H&F to challenge unsuitable housing conditions and rogue landlords.

We must also engage with, and listen to, the good landlords in our borough – of which there are many. We particularly want to support those landlords who live in the borough to fulfil their important role in our local PRS. It is vital that we understand their perspectives and experiences at a time of significant financial pressure, particularly in the form of higher interest rates. Being a good landlord comes with substantial challenges, and it is important to us to represent that viewpoint.

Our Commitments

Renters' voice and engagement: We are committed to doing things with residents, not to them. We will tilt the balance of power back to residents by implementing our own measures to ensure we hear the views of renters in H&F. Renters Voice will ensure we are hearing about their experience of private renting in the borough and what more we can do to improve our approach. We will also use this to test and challenge our work, ensuring we hold ourselves accountable for delivering commitments. We will put tenant engagement at the heart of our strategic approach, working closer with representative groups and agencies in delivering the commitments set out in this policy.

Better public awareness: We understand that the legislative and regulatory framework around private housing is complex and not all those renting will understand their rights. We will improve our web-based resources and our relationships with estate agents and landlords, to ensure tenants are provided with comprehensive information about what they should expect of their landlords, the grant funding available for energy efficiency improvements, and what the Council can do to help. This will include updating tenants on the implications of the Renters Reform Bill, the right to request an EPC from landlords, how to access disabled facilities grants, and promoting routes for redress in cases of dispute between tenants and landlords.

This advice will be available to Disabled people and in more than 100 languages, and we will aim to have excellent customer service and build a culture of awareness about

the barriers to housing that residents from groups that share protected characteristics and those with additional needs can face.

Landlords forum: We will establish a new H&F Landlords forum to promote high standards, incentivise compliance, and ensure that landlords are aware of their responsibilities. It will also provide a space to listen to barriers they face in providing high quality accommodation, and to tackle practical operational barriers between H&F and landlords in discharging their duties.

Tenancy sustainment: We will work through H&F Link to sustain tenancies in the PRS wherever we can to prevent homelessness, using our full powers to tackle rogue landlords, and supporting the end of no-fault evictions. This includes brokering private rented accommodation for households faced with homelessness, as an alternative to temporary accommodation. Our Dedicated Tenancy Sustainment resource offers up-to 12 weeks resettlement support for any resident placed in the PRS. This includes ensuring that universal credit payments are made swiftly, and providing Discretionary Housing Payments (DHP) in certain circumstances to cover any shortfall in rent.

Residents with additional support needs are provided transport support for viewings and in some cases accompanied viewings will be undertaken with social care officers. The service also acts as intermediary between tenants struggling with their rent arrears and their landlords to mitigate their situation – accessing DHP or other available funds as appropriate to preserve or extend tenancies.

Ethical debt collection: H&F has led the way in local government since 2017 with an ethical debt collection policy. We do not use bailiffs for council tax debts, instead using ethical methods of debt collection. This has helped hundreds of residents to avoid getting into troubling debt situations with the Council. We also offer a range of emergency support options for residents most in need.

Landlords charter and accreditation: We will continue to promote the London Landlords Accreditation Scheme and membership of recognised landlords' associations. We will encourage all landlords in H&F to sign up to a renewed H&F Landlords' Charter, with discounted property licencing fees and prioritised working relations for those estate agents and landlords who sign up. We will seek ways to actively endorse such exemplars to our many residents seeking housing within the borough.

Delivering our statutory duties: We are making use of powers under the Homelessness Reduction Act 2017, discharging our prevention and relief duty by helping applicants access housing in the private sector within 56 days of them coming to us with a housing issue. In 2022/23, we helped to house 245 homeless households into PRS properties that are safe and of decent standard. The service also provides a fast bespoke and efficient landlord vetting and matching service. However, the high cost of renting in H&F means we face more challenges in supporting residents to stay living locally, in no small part due to the government's freezing of LHA, from 2020 to 2024.

Out of the 245 homeless households helped, we could only place 71 residents into properties within the borough. The rest were located in neighbouring West London boroughs, aside from seven residents placed outside of London, by resident choice. We want to work with more local landlords to help more residents to stay in the borough.

Rough sleeping and homelessness: We will deliver on the commitments set out in our Rough Sleeping and Homelessness Strategy, ensuring there is complete support to private tenants at risk of sleeping rough, and working with private landlords and Registered Providers to increase access to housing for rough sleepers.

THEME 2: IMPROVING QUALITY, EFFICIENCY AND AFFORDABILITY

We want the right homes for our residents; homes that are safe, affordable, and of a high standard, and meet our target of 2030 net-zero ambitions. The current state of the PRS presents a serious challenge to achieving this. That's why we are pioneering new licensing schemes to keep residents safe, drive out rogue landlords, and will clamp down on those who flout standards on insulation, and health and safety.

Our Commitments

Private sector licensing: We will continue delivering our ambitious selective and additional PRS licensing schemes. This currently covers 24 streets designated as selective licensing zones until 2027 - meaning that rented properties and the landlords who rent them are under enhanced scrutiny to ensure good housing standards. In 2023/24, 7,863 PRS properties were covered by either selective or additional licensing schemes. This allows substantially greater powers of inspection and enforcement to ensure our residents live in safe and healthy homes. We will build our evidence and intelligence to inform whether the scheme's expansion can deliver further benefits.

Leading in safety: We will deliver safe housing solutions by supporting high standards in the PRS, working with the third sector to support victims of domestic violence, and maintaining our record of no children in Bed and Breakfast accommodation.

Greening the private rented sector: We will innovate to enforce minimum energy efficiency standards and support landlords to go beyond this, to green their properties, taking steps to help tenants at risk from excess cold. To identify non-energy efficient homes, we will take a targeted and intelligence-led approach to informing tenants about their rights to ask their landlord for an EPC. We will ensure landlords are made clear of their obligations to comply with the Energy Act, which requires that rented homes must achieve a minimum of an EPC E, or otherwise spend £3,500 getting closer to this target. At the same time, we will promote uptake of grant schemes and energy audits that encourage tenants to request home improvements, and which also provide financial support to landlords.

More affordable energy efficient homes: We will continue to demand that developers build 50% genuinely affordable homes on their residential developments, and apply the highest possible planning and design standards to ensure all new major developments are as energy efficient as possible. This includes ensuring that 3,000 new energy efficient affordable homes are built or underway by 2026. Delivery of our affordable homes programme will contribute to our affordable housing supply challenges, but this will not meet everyone's needs. We will explore opportunities to increase affordable housing supply, including policy review and untapped arrangements with other social and PRS landlords.

THEME 3: DELIVERING COMPREHENSIVE ENFORCEMENT ACTION

We have many exemplary landlords, including local residents, and estate agencies in the borough. They are hugely valued, and we want to retain them and add to their number to ensure good practice is delivered to our residents. But rogue landlords and some poor letting agencies have been getting away with unacceptable standards for too long, and swift enforcement action is crucial in driving out poor practices. We will be bold in taking tough action to clamp down on those who seek to exploit our residents. Through our [Private Sector Housing Enforcement Policy](#), we are delivering comprehensive enforcement measures to show that sub-standard letting will not be tolerated.

We have also adopted the [London Lettings Enforcement Policy](#) which sets out how we will address issues related to tenancy deposits, letting agency fees and charges and [redress schemes](#). When considering the culpability of letting agents, we will consider the professional status of the sector, alongside any harm caused to our residents or any aggravating factors, to reduce criminality in this sector. Whilst we have issued several penalties for non-compliance, we know there is still much more work to do.

We will continue to work collaboratively with the [National Trading Standards Estate and Letting Agency Team](#) and be supportive of the many good landlords and agents in the borough who demonstrate best practice. We will proactively and specifically seek out additional funding or resources linked to projects that promote the protection of our residents in the PRS. We want estate and letting agents to provide basic essential material information to our residents. By publishing more accurate, material information, we believe this will increase confidence for tenants and facilitate swift, well-informed decisions around property transactions.

Our Commitments

Comprehensive enforcement action: We will continue to enforce robustly against inadequate maintenance, poor management – including where energy efficiency and insulation are poor – and illegal letting, taking measures to improve protections for residents, and enforcing against hazardous housing conditions and compliance failures. This means using the full range of our enforcement powers including the use of civil penalties, and Housing and Planning Act powers.

We will take action to clamp down on rogue landlords and use our enforcement powers to their full effect. Our PRS Housing team have secured convictions against unlicensed HMO landlords, issuing significant fines and recovering legal costs. This work will continue to safeguard our residents from exploitation, put other substandard landlords on notice, and drive-up housing standards. In extreme cases, through our private rented property licensing schemes, we will prohibit landlords from renting out their properties in the borough.

We will use details of complaints received and enforcement action taken as intelligence providing an informed foundation for future advice and interventions. We will also work in partnership with the Mayor of London by investigating complaints generated through the Mayor's Reporting Line which are referred to us.

Delivering 'good' enforcement: We will continue to deliver on the principles of good enforcement, carrying out enforcement action in a transparent, accountable, proportionate and fair way in line with our Private Sector Housing Enforcement Policy. We will actively advise and work with landlords to help them comply with the law and ensure that key policies and messages are set out clearly on our website, and are accessible to all including in different languages. We will take particular care to work with small landlords so that they can meet their legal obligations without unnecessary expense, where practicable.

Accreditation and redress: We will take enforcement action against those landlords and letting agents who are not members of either the property [Ombudsman](#) or the [Property Redress Scheme](#) and those who do not display their fees in accordance with the regulations or provide misleading or inaccurate information. The Renters Reform Bill proposes the introduction of a national redress scheme in the form of an Ombudsman, of which membership will be mandatory for all PRS landlords. Local authorities will have the power to issue civil penalties and/or substantial fines for those PRS landlords who fail to join.

Empty Homes: We will join up our approach across the Council to ensure that privately owned empty dwellings in the borough are brought back into use and use appropriate enforcement powers where owners are not willing to engage. Where dwellings have been vacant for a long time and the owner is failing to restore it within a reasonable time, then officers may start statutory enforcement action if it is not secure or where there are any associated nuisances. Current housing laws (Empty Dwelling Management Orders or Compulsory Purchase Orders) do not provide practical means for dealing with empty homes. More effective strategies include the potential of enforced sale if there are arrears of council tax, and placing a charge on the property to recover costs of works in default by the owner.

Inspections and deterrents: Over the lifespan of our Housing Strategy, we will drive up the level of inspection and enforcement work we undertake to ensure that poor landlords are held to account. We have recently secured the largest fine we have ever issued to a private landlord, and we will publicise our future work to ensure it acts as an effective deterrent to others.

Short-term lets: We will take action against unlawful short-term lets where we become aware of properties being let out beyond the 90-day annual limit without applying to the

Council for permission first. We will campaign for broader, more far-reaching reform to short-term letting rules than that proposed by the government, with higher regulatory standards similar to the rest of the PRS and more funding for enforcement resources. The lack of data available on short-term lets makes enforcement actions challenging, so we are also calling for local councils to be given the tools and policy levers to better understand these properties within their areas, with better cross-borough data sharing.

Letting agencies: Whilst many reputable agents operate within our borough, insufficient national regulations have fuelled a small hidden economy of disreputable letting agents who rarely face justice. Additional government funding in this area would enable us to build on our excellent track record, of clamping down on rip-off letting agents who flout the rules relating to letting agent fees and client money protection schemes. This would help improve accountability on behalf of our residents in rented or shared ownership properties.

THEME 4: A FAIRER, MORE INCLUSIVE AND ACCESSIBLE PRIVATE RENTED SECTOR

Housing is a key component of the story of inequality in the UK, and there are particularly long-standing inequalities in housing with regards to ethnicity, age, sex, sexual orientation, and disability, among other protected groups identified in the Equalities Act 2010. Housing has the potential to both cause, and be a tool to address, inequalities that exist in today's society.

We will tackle discrimination within the PRS that threatens the ability of some residents to secure accessible, secure and safe housing. Drawing on the lessons learnt from our Disabled and Older People's Resident Commissions, and our pioneering co-production initiatives, we will work to drive out systemic discrimination and unfairness within the PRS, and help people with additional support needs to ensure that the local PRS works for them.

Our Commitments

Disabled facilities grants (DFGs): Disabled residents face a significant challenge in accessing homes that are suitably adapted to meet their needs, in an already highly competitive housing market. We will continue to offer grants to help eligible Disabled people adapt their home to make it easier for them to continue to live there and/or maintain their independence.

Nationally there also needs to be better financing of and access to grant funding for these property adaptations. We have found locally that some Disabled residents are not aware of the funding available or are dissatisfied with the process and length of time it takes for adaptations to be undertaken. We will review how we are performing in this area to see what improvements can be made.

Wrap around support: We strive to be a compassionate Council. We will provide wrap around support to residents with additional support needs, helping to negotiate accommodation with private landlords at LHA levels so that the property is affordable to benefit capped households. This includes offering PRS landlords a one-off cash incentive to bridge the gap between the LHA rate and market rents, in addition to carrying out checks to ensure that the property meets decent homes standards.

HM Government freezing the LHA rates, from 2020 to 2024, at a time of unprecedented inflation has been disastrous for many families. We will campaign for the indexing of the LHA from now on - to increase in line with real living costs, to help provide long term security and affordability for our residents.

Refugees and Asylum Seekers: We believe that everyone deserves a safe home, including those fleeing war, persecution and conflict. Refugees and asylum seekers make significant contributions to our community and economy, and we value the diversity they bring. We will continue to work with the UK Home Office to rehouse refugees, and we want to work with local landlords to achieve this.

New housing development: We will continue to ensure that at least 10% of all new housing in the borough meets the London Plan standards on wheelchair accessible housing, and that 90% of new homes meet the M4(2) standards, which require step free access and a range of other design features to enhance home accessibility.

Tackling discrimination: There are long-standing inequalities in housing in the UK with regards to race and disability, and we are committed to making H&F the most inclusive borough in the country. We know some ethnic groups to be overrepresented in overcrowded and poorly insulated PRS homes.¹⁷ Residents from overseas and Disabled residents are also likely to have more challenges in accessing accommodation in the first place.¹⁸ This is something we are already addressing in our [Disabled People's Housing Strategy](#) in which we outline four key underlying tenets; the vital

¹⁷ Gulliver, K. (2017). [Racial discrimination in UK housing has a long history and deep roots.](#)

¹⁸ Grant, S., Peel, CH. (2015). ["No Passport Equals No Home": An independent evaluation of the 'Right to Rent' scheme.](#)

importance of co-production with residents to shape housing services, improving access to housing information, improving housing services in collaboration with Disabled residents, and seeking out ways to increase accessible and adaptable housing.

We will seek to prevent discrimination by raising awareness of what constitutes discrimination - and related rights and obligations among landlords and tenants - through an information campaign and our landlord forum. Residents from groups sharing protected characteristics, and those with additional needs, can face barriers to housing that, and we will build a culture of awareness to tackle this accordingly.

THEME 5: SHAPING THE NATIONAL CONVERSATION

We want H&F to have some of the best local PRS standards in the country. We need the right funding and powers from HM Government to clamp down on poor private rented standards swiftly and robustly, and additional funding to expand affordable housing.

We also need a national framework and regulations that share the same level of ambition as we have, delivering for our residents and shifting the balance of power back into the hands of tenants. We will take a leading role in shaping the national conversation around the PRS to ensure the voices of our residents are heard at the top. We will advocate for change and improvement to the national framework and actively collaborate with other local authorities and industry experts to bring about the change we need in the sector, together.

Changes to the national framework include important reforms introduced in previous sections, namely indexing the LHA in line with real living costs going forward, additional funding for DFG and more regulation of short-term lets, as well as the commitments below.

Our Commitments

Home energy efficiency: In December 2020, HM Government consulted on increasing the minimum energy efficiency standards for rented properties to EPC C, with a requirement for landlords to spend up to £10,000 reaching this target or as far towards it as they can. In September 2023, the Government scrapped plans to introduce legislation which would have required PRS landlords to ensure their properties met a minimum standard of EPC C by 2028. We believe that renegeing on this commitment is wrong, on environmental as well as public health and economic grounds. We will

pressure HM Government to legislate for higher energy standards for private renters, which will realise material improvements to renters' energy bills, the warmth of their homes, and mitigate against the huge environmental impacts associated with poorly insulated homes.

We will push for EPC C as the minimum requirement for properties to be let in the longer term to protect our climate for future generations and to keep residents warm and healthy in well-insulated homes. A transparent property portal as proposed by the Renters Reform Bill, in which EPC certificate status is demanded of landlords, would aid the Council in targeting enforcement around those landlords who do not comply with minimum standards. This will, however, still fall short of the Committee on Climate Change's estimates that retrofitting each private rented property to reach carbon neutral levels over the next 30 years would cost £26,000 on average. We will advocate for other actions to accelerate a landlord's responsibilities to green their homes.

Section 21 'no fault' evictions: Section 21 of the 1988 Housing Act enables private landlords to repossess their properties from assured shorthold tenants without having to establish fault on the part of the tenant. In practice, this has meant that some tenants who complain about the standards of their property have been evicted, meaning that tenants are reluctant to exercise their rights due to fear of reprisal. We will support the abolition of Section 21, and lobby for the closure of loopholes that exist in the Renters Reform Bill, where landlords might work around the rules to evict renters by other means, such as anti-social behaviour grounds. For example, more stringent safeguards are needed to protect people whose behaviour may be considered anti-social due to their disability or mental health issues.

The Government has stated that they will not 'commence the abolition of section 21 until stronger possession grounds and a new court process is in place'.¹⁹ We will push the government to ensure that the abolition of section 21 is not reneged upon, or disproportionately delayed, so that tenants can feel safe and can have confidence that their home will not be repossessed.

Universal Credit: Unlike Housing Benefits, claims for Universal Credit Housing Costs are not mandatorily paid direct to private landlords where tenants incur two months' worth of rent arrears. This lack of protection for private landlords wastes public money, makes it harder for landlords to protect themselves against the deliberate withholding of

¹⁹ House of Commons. Levelling Up, Housing and Communities Committee. 20 Oct 2023. Available [here](#).

rental monies by tenants, and increases the likelihood of failed tenancies – leading to increased homelessness. Existing legislation needs to build in homelessness prevention safeguards when representations are made by landlords or support agencies in this regard.

National Landlord Database: The PRS is the most unregulated housing tenure. We will support the introduction of a landlord register across the borough that provides residents with information about the quality of landlords and properties in the borough, whilst also providing us with the data needed to carry out effective enforcement and regulation against consistently bad landlords. To do this effectively, we require significant additional resource from HM government. Simply bestowing powers of enforcement to local authorities will be ineffective without the funding required to realise these new functions.

PRS Decent Homes Standard: Everybody deserves a decent home, and we will champion the introduction of a decent homes standard for the PRS, including the extension of Awaab's Law to PRS homes; introducing parity across the social and private rented sectors in the standards we can expect. To this end, we believe that updated EPC records are an essential facet going forward and should act as a key pillar in the property portal, which will be transparent to local authorities. We believe this should reflect the EPC status of a property whenever there are substantive changes to the integrity of the property or, in cases where a tenancy has been continuous and unbroken, every five years.

Student accommodation: The PRS provides an important role in housing students locally. The Renters Reform Bill proposes that fixed-term and assured shorthold tenancies should be replaced by periodic rolling tenancies, which will be assured tenancies. This could have the impact of pushing up rents and reducing the availability of student properties. We will lobby HM government to maintain an appropriate exemption for private rented student accommodation that enables students and landlords the flexibility they need to secure a property or tenant in a timely manner aligned to the academic year.

Overseas investors: London has become a hotspot for overseas property investors, many of which remain empty. These homes should be for local people, and we will therefore lobby for an increase in the overseas investor surcharge to stamp duty and the additional rate of stamp duty for multiple homeowners. The number of property

transactions incurring the additional rate paid by owners of multiple homes has increased following its introduction in 2016, suggesting that the tax has not weakened the overall position of all landlords. Today, H&F has the 8th highest largest proportion of authorities with additional rate stamp duty receipts, in England.

HMOs accommodating asylum-seekers and refugees: Where HMOs are used in the borough as a form of temporary accommodation, we will seek to ensure they are licensed and monitored so that effective enforcement can be delivered. We strongly oppose any government legislative change to temporarily exempt asylum seeker accommodation from (HMO) licensing requirements.

We are keen to work with HM Government to ensure that accommodation continues to meet the current national minimum HMO standards and that a ‘two-tier’ system, with lower standards of enforcement for accommodation for asylum-seekers, does not occur. We will strive to ensure that refugees and asylum-seekers are not subjected over-crowded, sub-standard or unsafe accommodation when housed in H&F.

Acquiring PRS homes for social rent: Nationally, social rented homes are more than twice as likely to meet the decent homes standard compared to PRS homes. H&F has one of the smallest social housing waiting lists in London, but many people across the UK have no real prospect of ever being allocated a home. We will push for greater powers and resources for councils to acquire private rented homes and let them out at social or affordable rents, and to build more social and affordable homes.

Rent Stabilisation: We believe the PRS can offer tenants secure and affordable good quality accommodation, whilst also providing a good return on investment for landlords who provide a high-quality service. However, recent economic instability and inflation have fuelled record rent rises across London, putting further financial pressure on households. Central Government must review the case for rent stabilisation – such as through an index linking rent rises where rent price pressures exist, to avoid unsustainable rises, and learning from the adoption of these initiatives across Europe and the UK.

HOW THIS POLICY WAS DEVELOPED

This document has drawn on a best practice review and bespoke research commissioned from the New Economics Foundation.

This policy will also respond to important feedback on how we can improve the sector and renters' experiences through a range of consultation and engagement exercises that will be undertaken on this policy from February 2024. The consultation will be widely promoted to local residents, local landlords and letting agents, students, local employers, subject matter experts and councillors. The consultation programme includes a six-week online consultation survey, which is open to all to respond to; focus groups with residents, landlords and letting agencies, students and employers; and in-depth interviews.

The findings of the consultation will be summarised and reported and will inform a further final version of the policy.

MONITORING AND REVIEW

Developing this policy has strengthened our local PRS evidence, but also provides a clear and comprehensive account of our aspirations to improve the quality, affordability, and security of local PRS accommodation.

A Council delivery group will monitor progress against the commitments in this policy, some of which are reliant on more HM Government funding. This will be led by a senior officer within H&F, who will carry out a review after one year of the policy being adopted, to ensure our actions are having the desired impact.