

Response ID ANON-PEGT-J2YU-T

Submitted to Local authority returns form: damp and mould in private rented properties
Submitted on 2023-01-23 14:22:11

Introduction

Details:

1 Please provide the full name of your local authority:

Answer:
City of York Council

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

Answer:
anthony.dean@york.gov.uk

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

Answer. Please provide a number. If you cannot answer, please write 'NA':
16,000

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

a) Stock condition survey, c) Estimate based on contact with landlords/tenants, d) Estimate based on general knowledge of local housing stock, f) Other: e.g. licensing schemes(s), council tax, please provide details (below)

Answer (option - f):
HMO Licensing

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

Optional:
8

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

Additional

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

Optional:
2200

Prevalence of damp and mould

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

%:
<1%

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

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

Other please specify:
Licensing schemes and inspections

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

%:
5%

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

e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)

Other please specify:
Inspections

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

Answer:
N/A

Enforcement Questions: complaints

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

Optional:

Where complaints are received, the majority are dealt with using our triage system in which residents are able to send photographs of the mould or damp of concern in their property to be assessed and then suitable advice provided based on the level of risk identified. Such assessments include questions around the levels of home insulation, ventilation and type of heating provided in the property, and visits were undertaken where considered necessary. Advice given often relates to education around 'lifestyle' and management of condensation through ensuring use of heating and ventilation within properties. This advice includes • General advice on the control of condensation in the property – linking to our website Preventing condensation, damp and mould (<https://www.york.gov.uk/condensation>). Advise them to contact their landlord copying housing.standards@york.gov.uk and explaining that if issues are not rectified, they will ask the council to visit • Carry out an inspection of the property – following an inspection the Council will contact the landlord to discuss issues and action we will be taking i.e. advice, pre-formal/formal action – letters/emails, hazard awareness notice, improvement notice. In practice it is very difficult under the Housing Health and Safety Rating System to score damp and mould as a Category 1 hazard unless there is a significant amount of physical damp (rising or penetrating damp) and/or a significant amount of mould growth present. Mould growth very often occurs in properties where there are no defects present (e.g. there is adequate heating and ventilation, and there is no physical sources of damp present), and as a result it is not possible to take enforcement action in such cases. One of the main contributors to damp and mould hazards is 'excess cold', for which City of York Council do take enforcement action, to address poor/absent heating or insulation, even if they can't take action in relation to 'damp and mould' for the reasons given above. In addition, we also use energy efficiency initiatives, where possible, to try and proactively prevent damp and mould in private rented sector homes.

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

Answer - 2019/2020:
36

Answer - 2020/2021:
27

Answer - 2021/2022:
21

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

Answer - 2019/2020:
8

Answer - 2020/2021:
4

Answer - 2020/2021:
5

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

answer:

The provided figures are estimates as the information is not kept as the database is unable to detail this,

Enforcement Questions: category 1 damp and mould hazards

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

Answer - 2019/2020:

513

Answer - 2020/2021:

426

Answer - 2021/2022:

406

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

Answer - 2019/2020:

1

Answer - 2020/2021:

1

Answer - 2021/2022:

1

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

answer:

N/A

Enforcement Questions: category 2 damp and mould hazards

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

4

Answer - 2020/2021:

5

Answer - 2021/2022:

3

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

answer:

We are unable to provide information on Category 2 damp and mould hazards for complaints as this information is not currently easily retrievable or known

Enforcement action

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

Answer - 2019/2020:

14

Answer - 2020/2021:

15

Answer - 2021/2022:

13

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

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

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

Wider context

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

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

4

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

6

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

5

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

1

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

2

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

3

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

Optional:

Mould growth very often occurs in properties where there are no defects present (e.g. there is adequate heating and ventilation, and there is no physical sources of damp present), and as a result it is not possible to take enforcement action in such cases. One of the main contributors to damp and mould hazards is 'excess cold', for which City of York Council do take enforcement action, to address poor/absent heating or insulation, even if they can't take action in relation to 'damp and mould' for the reasons given above.

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

No

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

Optional:

Up to date data on risks associated with damp and mould growth, as currently HHSRS fails to adequately consider and assess risk. Generally main issues have to be dealt with by using excess cold.

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

Optional: