

<b>MEETING:</b>	<b>REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>5 JULY 2011</b>
<b>TITLE OF REPORT:</b>	<b>REPORT ON REGULATORY ACTIVITY OF PRIVATE SECTOR HOUSING</b>
<b>PORTFOLIO:</b>	<b>ASSISTANT DIRECTOR (HOMES AND COMMUNITIES)</b>

**CLASSIFICATION:** Open

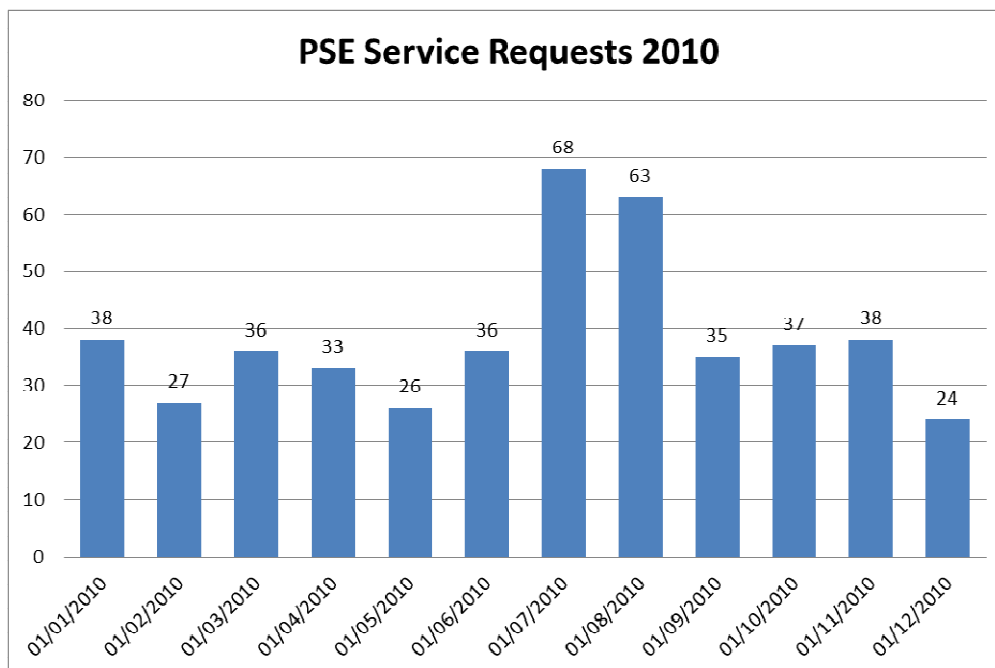
### Wards Affected

Countywide

### Purpose

To note the main regulatory activities of Private Sector Housing for the year 2010/11.

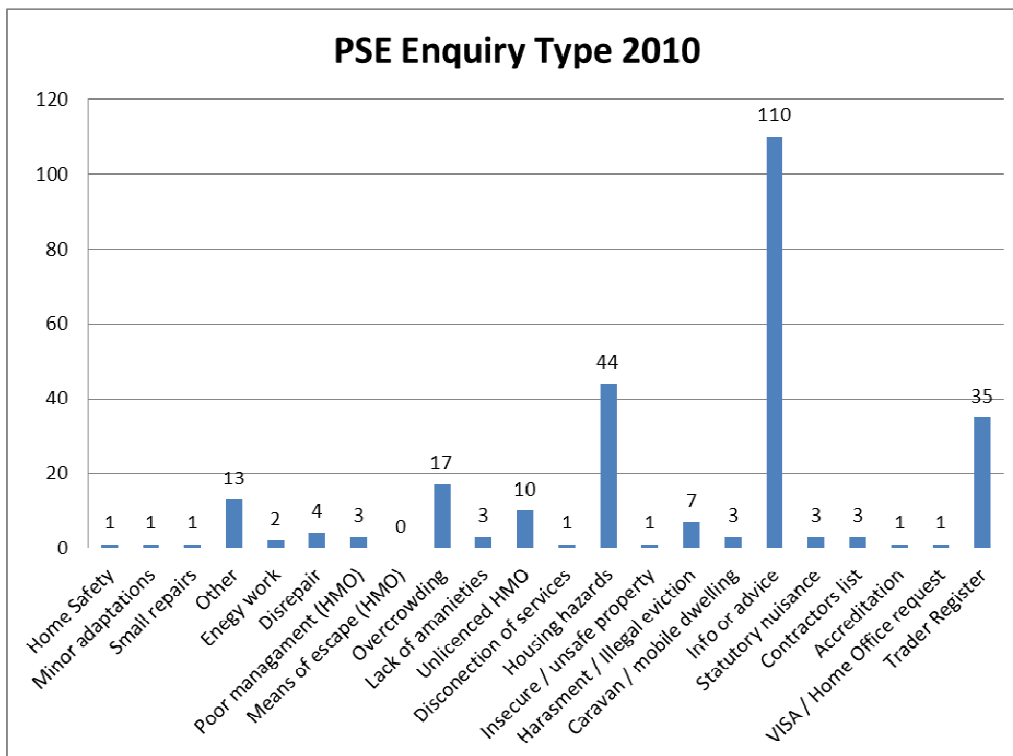
### SERVICE REQUESTS



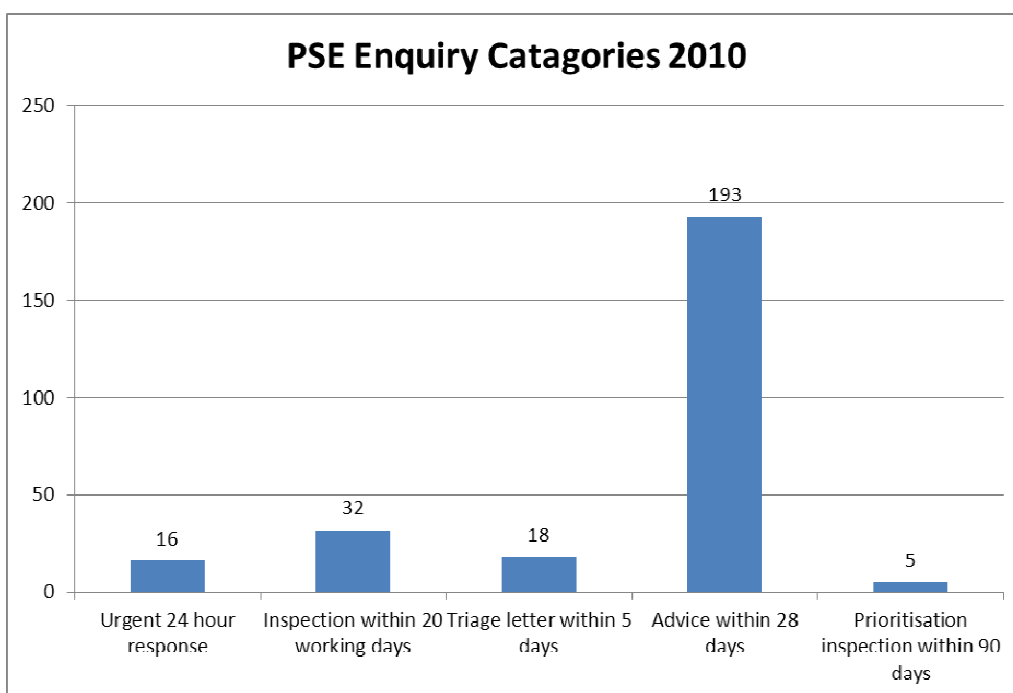
During 2010 there were 264 service requests made to Private Sector Housing Enforcement (PSE). Seasonal variation in July and August saw the majority of enquiries, with the remaining months averaging approximately 35 referrals.

The majority of enquiries were for information and advice, followed by housing hazards and

Trader Register requests.

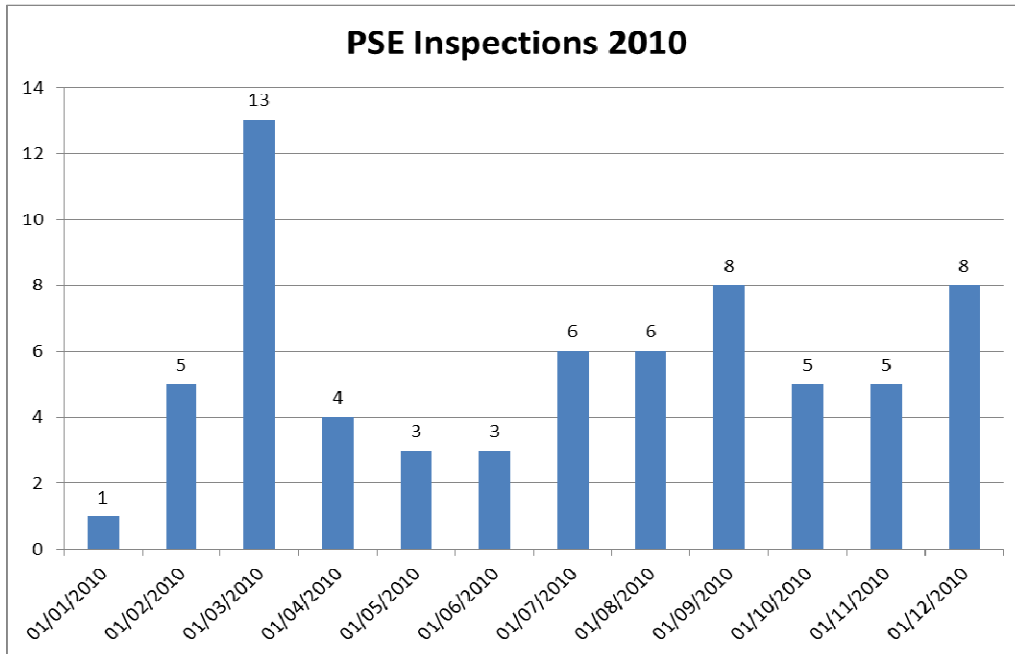


Response categories show that most enquires were handled as requests for advice within 28 days. The raw data from Civica APP does not however accurately reflect the number of other categories such as triage letters etc. as in many instances these were recorded as requests for advice. This issue was picked up during Civica APP refresher training for all Private Sector Housing staff at the end of 2010.



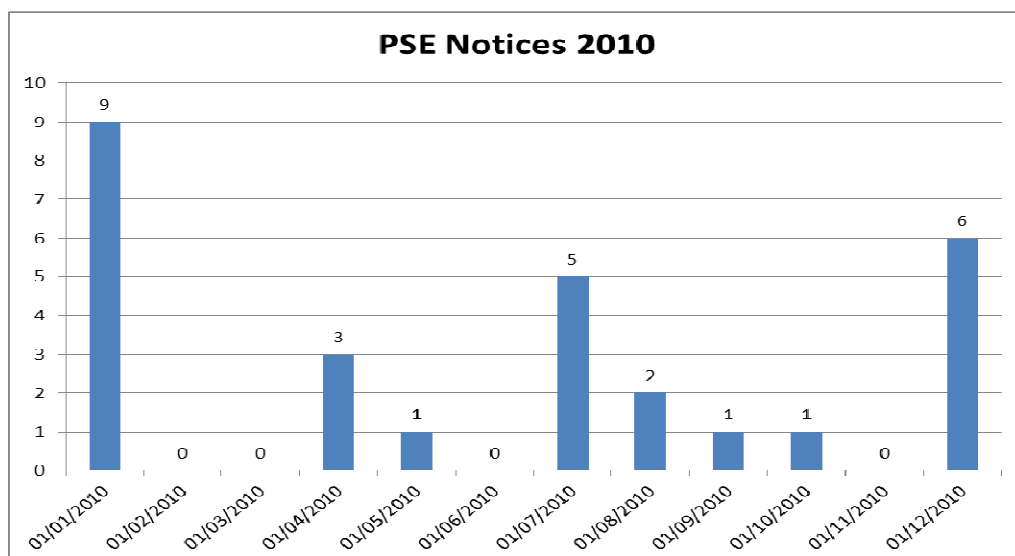
## INSPECTIONS

There were 1.5 officers within the PSE in 2010. Inspection numbers were low principally due to under recording but also due to diversion of resources to complete other projects such as prosecutions or configuration of Civica APP.



## NOTICES

A total of 28 notices were served in 2010, including improvement notices, and prohibition orders.



## **PROSECUTIONS**

### **5 Aylestone Hill, Hereford**

On Friday 20 March 2009, Mr Marc Mohan was fined £8,000 for not licensing his House in Multiple Occupation (HMO) at 5 Aylestone Hill, Hereford; this included £3,000 for failing to comply with an emergency prohibition order under the Housing Act 2004, and £2,000 for failing to do a fire risk assessment and a further £4,000 for four other fire safety offences under the Regulatory Reform (Fire Safety) Order 2005.

The court heard how housing and fire officers, after an anonymous complaint from a member of the public, found no fire safety measures installed when they inspected the four-storey house. Mr Mohan knowingly failed to licence his property with the council, and then permitted tenants (most of them students from the local colleges) to sleep there in defiance of an emergency prohibition order relating to fire safety issues.

District Judge Gwyn Jones in his summing up referred to the “flagrant disregard” of this landlord for the health and safety of his tenants, many of them vulnerable young students. The judge said he did not see “why the public purse should have to pay the costs of this investigation” and awarded full costs of £13,463 to both the housing and fire authorities.

### **34 Church Road, Hereford**

On 28 March 2011, Mr Nicholas Layton was fined £4,500 after admitting failing to licence 34 Church Road, Hereford as a House in Multiple Occupation (HMO) under the Housing Act 2004. Mr Layton was also ordered to pay £2,000 costs and a £15 victim surcharge.

An inspection carried out under warrant, found 14 occupants from Eastern Europe (including families with children living in single rooms), in the four-storey property, which only had one working kitchen. If the property had been licensed as a HMO, it could legally only have had four residents. A HMO licence application had been sent to Mr Layton in July 2009 but, at the time of the inspection in November 2009, he had still not applied for the licence.

### **Pending Cases**

There are currently two separate PSE cases awaiting trial. The first relates to failure to comply with an overcrowding notice and the second is in respect of failure to comply with an Emergency Prohibition Order.

## **HOME CERT ACCREDITATION**

Most landlords are committed to providing good quality, properly managed accommodation and most tenants comply with their tenancy agreements and respect the homes they live in. The Home Cert Landlord and Tenant Accreditation Scheme has been developed with the Herefordshire Landlord Focus Group to recognise this contribution.

The aim of the Scheme is to improve both the physical and management standards of the private rented sector in Herefordshire and has been recently adopted by Herefordshire College of Art as their benchmark of choice for student accommodation. There are currently more than 30 accredited landlords and properties in Herefordshire.