

## ***(d) Private Sector Housing Strategy***

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### **5d.1 Aim**

**“To make sure that privately-owned homes are fit for people to live in, with empty homes kept to a minimum and to provide help to those who need it most to meet this aim.”**

### **5d.2 Key Issues**

#### *Introduction*

In June 2002, the Council adopted its latest comprehensive Private Sector Housing Strategy, which sets out in detail the Council's approach to meeting the above aim. It is a lengthy document and provides a wealth of information relating to the issues, objectives, targets and performance in respect of the District's private sector housing.

Private sector housing comprises the largest part of the overall stock, and potentially has the largest contribution to make towards supplying suitable accommodation to meet the needs of the District. The Council recognises the importance of its role in influencing the condition and use of private sector property.

Primary responsibility for maintaining and improving the private sector stock lies with property owners themselves. However, certain groups of people, e.g. older and vulnerable people, those on low incomes and those in privately rented property are not in a position to provide adequate standards for themselves.

#### *Private Sector House Condition and Energy Efficiency Survey 2001*

During 2000/1, the Council undertook a private sector stock condition survey. The main findings of the survey were as follows:

- 2.3% of properties were considered unfit for human habitation, using the Housing Act 1985 criteria.
- A further 3.2% were considered to be on the borderline of unfitness.
- 17.5% (7,320 properties) were either unfit, borderline unfit, or in substantial disrepair. The estimated cost to bring all these properties up to a reasonable standard is £88 million, with a projected renovation grant requirement of £20 million (which includes £11.3 million for properties that are not unfit).
- About 30% of unfit housing was occupied by households over 65 years of age (suggesting that residents with the lowest disposable incomes are occupying housing in the poorest condition).
- Around 4% of private sector housing was vacant, although none surveyed was found to be derelict. Around 19% of vacant properties were unfit, requiring repairs costing around £1.1 million.

The report concluded that the demand for assistance is likely to increase with the ageing population and that, over both the short and medium term, additional resources are likely to be necessary.

#### *Renovation Grants and Home Repairs Assistance*

The Regulatory Reform (Housing Assistance) Order 2002 (RRO), implemented in July 2002, enables local authorities to determine locally the means by which they give assistance to home owners for essential repairs. This can be through a variety of means such as grants, loans, equity release or moving on. Disabled Facilities Grants, which provide essential adaptations to the homes of people who are registered as disabled, remain governed by the Housing Grants, Construction and Regeneration Act 1996.

Under the RRO, local authorities are required to produce a policy stating how they intend to provide assistance. Having carefully considered this in the light of the Council's Private Sector House Condition and Energy Efficiency Survey 2001 and consultation with service users, neighbouring authorities and stakeholders, the Council decided to retain Renovation Grants and Home Repairs Assistance for the time being. This policy is outlined in the Council's Grants Policy 2003.

Renovation Grants are given, subject to a means test, to remedy unfitness in residential properties or to provide adequate standards in Houses in Multiple Occupation. The means test that is applied is the same as that laid down in the Housing Grants, Construction and Regeneration Act 1996 for Disabled Facilities Grants.

Home Repairs Assistance provides grants of up to £5,000 for general repairs or thermal insulation. Applicants are expected to be in receipt of a means tested benefit (e.g. council tax benefit or income support) and over 60 years of age, except for insulation work or where the work is to enable the care of someone who is over 60 years of age, disabled or infirm.

#### *Houses in Multiple Occupation (HMOs)*

It is estimated that there are approximately 120 HMOs in the District. The legal definition of an HMO is unclear and the Council, therefore, applies the Chartered Institute of Environmental Health definition. Generally, HMOs are houses occupied by people who do not form a single household, and have shared amenities. The Housing Bill currently before Parliament will provide a new, clear definition and will introduce compulsory licensing for high risk HMOs with councils required to operate HMO registration schemes. As a result of HMOs possibly being defined in a different way, the numbers in the district may change significantly, clearly having resource implications for the Council.

#### *Harassment*

Around 7% of the District's stock is privately rented. The Council has responsibility for investigating complaints from tenants of unlawful eviction and harassment by landlords. The Council's environmental health officers can usually resolve such cases informally, by negotiation and mediation between the landlord and tenant. However, some cases can be serious, threatening the health and safety of tenants. In such cases, detailed investigation is undertaken and, if appropriate, criminal proceedings taken against the landlord under the Protection from Eviction Act 1977, with a penalty of up to 2 years imprisonment.

#### *Empty Homes*

The numbers of empty properties returned to occupation or demolished as a result of action by the local authority is a Best Value Performance Indicator and the Council has always expressed a commitment to this. However, in practice it has been difficult to achieve reductions in the numbers of vacant properties since, to date, data protection legislation has made it difficult to locate empty properties and, once identified, the owners of these properties.

One of the effects of the new Local Government Act is to amend data protection legislation in such a way as to allow Council Tax departments to provide information that could lead to the reduction in numbers of empty properties. This can include providing details on home owners with properties vacant for more than six months although. Once introduced, the Council will be able to target such owners, explaining the options available for ensuring the properties are occupied.

#### *Housing Health and Safety Rating System (HHSRS)*

The HHSRS is intended to replace the fitness standard as a measure of whether a property is acceptable as living accommodation. It identifies 24 broad categories of housing hazard and uses a scoring system, which takes into account the likelihood of the hazard occurring and the range of outcomes that could result. The action that local authorities should take, and whether they will have either a duty or power to act, has not yet been determined. The HHSRS is to be included in the Housing Bill, which is likely to be introduced by early 2005.

#### **5d.3 Objectives**

- a) Ensure that adequate information is obtained and updated on the condition of the private sector housing stock, through periodic stock condition surveys.
- b) Continue to give grants as follows until the private sector housing assistance policy has been reviewed:
  - i) to remedy properties that are unfit and/or in substantial disrepair through the provision of renovation grants targeted primarily at older owner occupiers.
  - ii) to assist owner occupiers and private sector tenants, who are vulnerable or on low incomes, with minor repairs through the provision Home Repairs Assistance.
- c) Minimise the number of empty homes in the District.
- d) Ensure that HMOs within the District are safe to occupy, through inspections and effective responses to tenants' complaints within target times.

- e) Respond effectively to harassment and unlawful evictions within target times.
- f) Ensure that the Council's Private Sector Housing Strategy continues to address the right priorities in the light of stock condition data, legislation and Council policies.
- g) Respond effectively to changes in legislation affecting private sector properties.

#### **5d.4 Key Targets**

- a) Provide a total of £200,000 per annum on discretionary Renovation Grants and Home Repairs Assistance.
- b) Make at least 1.35% of unfit private sector homes per annum fit as a result of the Council's action.
- c) Inspect all HMOs in the district in accordance with their risk rating.
- d) Respond to at least 90% of complaints with regard to housing standards and repair within 3 days.
- e) Complete at least 90% of investigations with regard to housing standards and repair within 450 days.
- f) Respond to at least 90% of harassment complaints within 1 day.
- g) Complete at least 90% of all investigations into complaints of harassment within 34 days.

#### **5d.5 Past Delivery Performance**

- a) The Council's renovation grant policies were reviewed and agreed in June 2002, to ensure that they continue to meet priority needs. Grants are targeted to give priority to applicants for disabled adaptations and older owner occupiers.
- b) The Council has consistently made funding of £200,000 per annum available for Renovation Grants and Home Repairs Assistance, despite consistent reductions having to be made in the Council's capital programme.
- c) 0.77% of unfit private sector homes were made fit as a result of the Council's action in 2003/4.
- d) Customer satisfaction questionnaires are sent to all grant applicants after the completion of work. The majority of recipients have expressed satisfaction with the grants service, although a number commented that the process took too long.
- e) In 2003/4:
  - 10 HMO's were inspected.
  - 86% of complaints with regard to HMOs were responded to within the targets of 1 or 3 days (90% target) and 100% of investigations were completed within the target of 450 days.
  - 100% of harassment complaints were responded to within 1 day (90% target) and 100% of investigations were completed within the target of 34 days.
- f) The Council is working with East Thames Housing Group to provide the Epping Forest New START Scheme. Under the scheme, East Thames enters into three-year leases with private landlords, and then lets the properties on six month, assured short-hold tenancies to tenants nominated by the Council. Empty properties are targeted for inclusion within the Scheme.

#### **5d.6 Key Partners**

Go-East, private landlords, East Thames Housing Group, Essex Police, Essex Fire and Rescue Service, Essex County Council Social Care.

**Key Action & Resources Plan****PRIVATE SECTOR HOUSING STRATEGY**

<b>Action Plan</b>	<b>Funding Source</b>	<b>Resources</b>
Provide at least 5 discretionary Renovation Grants and 70 Home Repairs Assistance grants to applicants meeting the Council's priority criteria.	Council Capital Funding	2004/5 – 2006/7: £200,000 p/a
Undertake a Stage II review of the Private Sector Grants Policy by March 2005.	Within existing resources	-
Liaise with Planning Officers with a view to notifying agricultural establishments and nurseries in the district that any accommodation provided to temporary staff engaged in seasonal work must have Planning Permission and be suitable for the purpose, by December 2005.	Within existing resources	-
Implement a system of HMO licensing as required by new, forthcoming, legislation.	Within existing resources	-
Undertake a survey of caravan sites within the district by August 2004.	Within existing resources	-
Establish a better estimate of the number of empty homes within the district by January 2005.	Within existing resources	-
Undertake a Private Sector Stock Condition Survey by April 2006, taking into account the extension of the Decent Homes Standard to the private sector, the Housing Health and Safety Rating System and the findings from the Housing Needs Survey 2003.	Council General Fund	2005/6 - £50,000

