

## Private Sector Housing Strategic Statement

Our Vision: ‘One Borough, One Community. No One Left Behind’

Our vision is to improve standards of housing in the private sector. It is therefore essential that the council work with our partners to both improve property conditions and to provide access to well managed private sector housing to help meet the housing needs of our residents.

Housing is an important determinant of health, wellbeing, and stability. Priority 7 of our Corporate Plan is that ‘Residents live in good housing and avoid becoming homeless.’ Priority 6 is that ‘Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods.’ We want to make sure Barking and Dagenham has a well-run and managed private rented sector, where properties are good quality and where landlords, letting agents and tenants are all aware of their rights and responsibilities and are supported where appropriate and where the necessary action is taken when the law is broken.

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## Forward

We want to ensure that the growing private housing sector is well managed, is in good condition, and above all else, that residents are safe.

The safety of our residents, that they live healthy and happy lives, and in good quality housing are the Council's priority concerns which is why we have developed a new private sector housing strategic statement. We recognise that a lot of the private sector is very good, however, when properties are not well managed or responsibly run, there is a huge impact upon the lives of individuals and families.

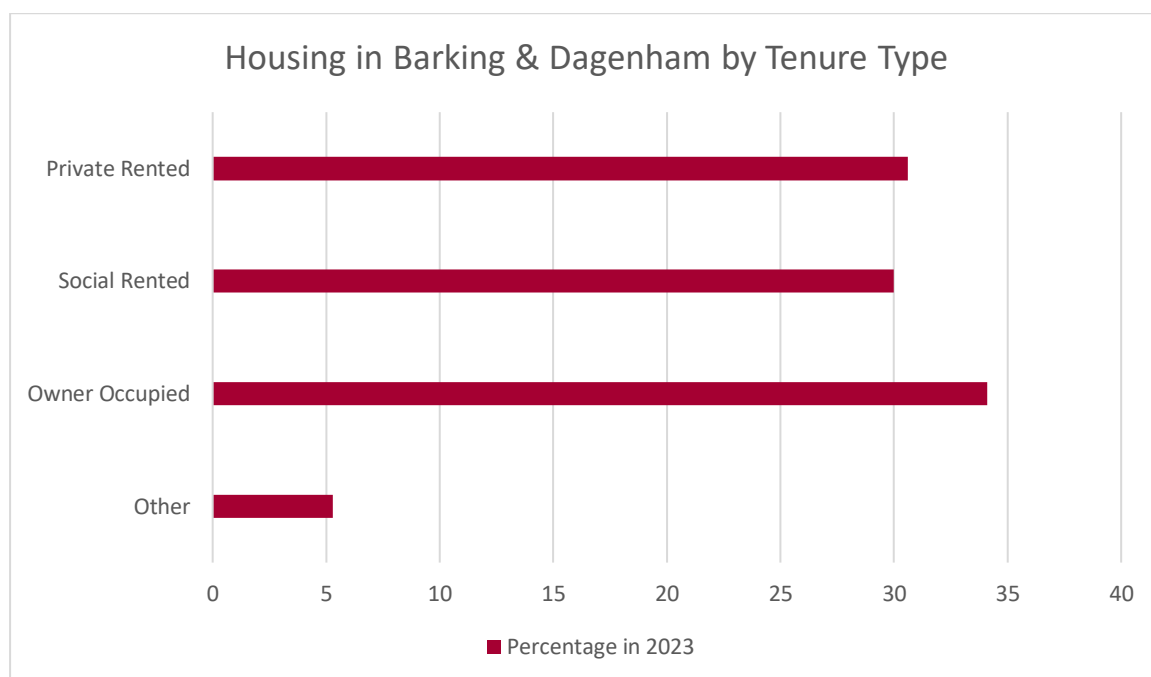
We aim to support tenants, landlords and lettings agents, so everyone understands their rights and responsibilities. However, we also need to be tough with landlords and agents who exploit tenants and abuse the rules. It is not acceptable that lives and aspirations are marred by poor quality private rented housing and practices.

We want Barking & Dagenham to be a desirable location in which people want to settle and play their part in safe, clean neighbourhoods. This statement sets out how we will help to do just that; to support the private rented sector, promote improved health and inclusive growth, and protect the quality of life for all who choose Barking & Dagenham as their home.

Councillor Syed Ghani

## Introduction

Barking and Dagenham has a substantial private rented sector. It has increased 412% since 2001 now making up 30.6% of all housing in the borough. Private renting therefore performs a vital role in meeting housing need in the borough. We also have a substantial owner-occupied sector and a small number of these can fall into severe disrepair or become long term empties. These properties can pose a risk to public health and can have a huge detrimental impact on neighbouring properties and residents.



We have developed this Private Sector Housing Strategic statement because it is a significant portion of Barking and Dagenham’s housing. In particular the private rented sector is a vital part of the market, providing homes for thousands of our residents, therefore private landlords play a crucial role in having a housing stock that is maintained to a high standard. Although much of the sector is well run and managed and of good quality, the impact on people, families and communities is significant when it is not. Renting is increasingly becoming a longer-term tenure for many, given the cost of buying, significant financial hardship, and the high demand for social housing.

Barking and Dagenham’s private rented sector is home to different people and households - homeless households in temporary accommodation, families or single people renting a flat or house, young people flat sharing, students, families and people living in houses in multiple occupation.

This strategy doesn’t cover homelessness, as although the loss of a private rented tenancy can be a cause of it, our plans to tackle homelessness from the sector are set out in our Homelessness Strategy 2019 – 2023 [2].

[1] From 2021 Census

[2] Homelessness Strategy 2019-2023

[3] See Appendix 3 for how IMD is calculated

## Key facts for Barking and Dagenham and the private rented sector

- Twenty first highest IMD [3] score in England (based on 317 local authority districts, where 1 is the most deprived and 317 is the least deprived)
- highest IMD score in London.
- Gascoigne, Heath, Thames and Village wards all had neighbourhoods amongst the 10% most deprived in the country.
- every neighbourhood in both Gascoigne and Mayesbrook wards were amongst the 20% most deprived in the country.
- Longbridge was the only ward without any neighbourhoods amongst the 30% most deprived in the country.

Visit our [borough data explorer](#) to see thematic maps showing the broad distribution of deprivation across Barking & Dagenham in 2010, 2015 and 2019.

## Our priorities of this strategic statement

This strategic statement focuses predominantly on what it is possible for the council to do to support the sector, using its legal powers, duties and relationships, rather than on areas that are beyond its control.

- **Priority One:** To tackle poor conditions in private housing and take robust action against rogue landlords.
- **Priority Two:** To support good landlords and letting agents.
- **Priority Three:** To support and engage with tenants.
- **Priority Four:** Improved collaboration with other services to support residents, tenants, landlords and lettings agents.
- **Priority Five:** Help to improve the energy efficiency of the private sector housing.

### Priority One: To tackle poor conditions in private housing and take robust action against rogue landlords.

We'll do this by:

Taking tough action against rogue landlords and agents who exploit tenants and fail to keep properties in good repair.

Protecting tenants of HMOs from poorly managed and maintained properties.

Targeting unlicensed properties to make sure we are able to inspect all non-exempt rented properties across the borough.

Taking action in line with the Enforcement Policy which may result in serving statutory notices, and then prosecuting or issuing Civil Penalty Notices for failure to comply.

Recording all prosecutions and Civil Penalty Notices on the Rogue Landlord and Agent Checker and in severe cases publicising them through press releases.

Revoking and refusing property licences where landlords fail to comply with requirements to have an effective tenancy management system, and failure to carry out safety checks etc.

Carrying out a public consultation on the introduction of an additional licensing scheme across Barking and Dagenham for all houses in multiple occupation (HMOs). HMOs are more likely to be in a poor condition and associated with poor practices compared with other private rented homes. The scheme will help to address these issues, as conditions are set as part of the licence, covering for example, fire safety and overcrowding. Licences can be removed if standards are not met.

Applying to the Department for Levelling Up, Housing and Communities for a selective licensing scheme when the current scheme expires on 31<sup>st</sup> August 2024.

Working to bring long term empty properties back into use, and prioritise those that have been empty for over 2 years, are an eyesore and may attract antisocial behaviour, and properties where we are receiving a high volume of complaints. Empty properties can deteriorate rapidly often

causing damp and structural problems for adjoining properties. They also attract squatters, leading to a multitude of problems in the neighbourhood.

Raising awareness of our services which tackle poor quality rented properties. Evidence shows that some tenants are unaware of our services, and this is compounded by high turnover in the sector, and high numbers of migrant communities, and that private tenants tend to be younger, which may mean they are less likely to use it either due to lack of knowledge or for fear of becoming homeless as a result.

### **Priority Two: To support good landlords and letting agents.**

We'll do this by:

Working with the sector to increase the number of accredited landlords and lettings agents. Accreditation offers benefits such as training, continuous professional development and networking. With a large private rented sector, we aim to have the most landlords accredited.

Continue to support Accreditation Schemes such as the London Landlord Accreditation Scheme (LLAS), and the National Residential Landlords Association (NRLA).

We will issue regular landlord newsletters which will be sent out to the thousands of landlords and letting agents that hold property licences in the borough. We will provide information on legislation changes, and advice on for example, how to legally implement a rent increase, or how to reduce the likelihood of mould in the winter months.

Support landlords where their tenant is involved in serious antisocial behaviour or breaking the terms of their contract by not paying rent or damaging the property. We will listen to both sides of the story and work with all parties to reach a resolution. We will work with the Council's ASB team and the Police to review evidence and consider appropriate enforcement action under antisocial behaviour legislation.

### **Priority Three: To support and engage with tenants.**

We'll do this by:

Responding to complaints from private tenants about their property conditions. We will assess properties using the Housing, Health and Safety Rating System (HHSRS), a risk-based tool which helps to identify hazards in the home which can have a detrimental effect on health. We will take action in line with our enforcement policy.

Having a dedicated tenancy sustainment officer to investigate harassment and illegal evictions. This officer will check that eviction notices and rent increases are lawful and that the correct procedures have been followed and take action if they haven't. We will work with private tenants that are threatened with homelessness and sign post them to housing advice if they need to find a new home.

Continuing to work with organisations that provide specialist support to tenants to help them claim Rent Repayment Orders. Private tenants may feel daunted to claim Rent Repayment Orders

so we will offer advice and support their applications where appropriate. We'll publicise successful Rent Repayment Orders and as part of this try to tell 'tenant stories' about the impact the experience has had on them.

Communicate better with agencies who have reported problems on tenants' behalf. Feedback on cases would be useful in order for them to understand the tenant's situation when they are helping with them other problems.

#### **Priority Four: Improved collaboration with other services to support residents, tenants, landlords and lettings agents.**

We'll do this by:

Strengthening our relationship with services managing temporary accommodation, public sector housing, mental health teams, anti-social behaviour teams, social services and other services to improve the way we support their tenants with related issues.

Strengthening our relationship with the Police and other organisations to help prevent illegal evictions. Many illegal evictions occur without our knowledge, and we'll investigate if there is more we can do to prevent them.

Working with our Trading Standards colleagues to identify breaches of consumer protection legislation by lettings agents and take enforcement action where necessary. Consumer protection legislation includes the Tenant Fees Act 2019 which prevents landlords and lettings agents from requiring tenants to pay fees for most activities, such as getting references and for renewing a tenancy. Trading Standards issues fines from lettings agents and there are also a number of payment plans in place relating to penalties served. Over twelve months, Trading Standards served 50 notices against 29 lettings agents for breaches of consumer protection legislation, such as failure to publicise relevant fees and other information and for failing to belong to redress schemes.

Strengthening our relationship with agencies that represent landlords such as the National Residential Landlords Association (NRLA), British Landlords Association (BLA), and Safeagent, and we aim to promote the services they offer to landlords.

Strengthening our relationship with non-profit organisations who represent tenants' interests such as Justice for Tenants and Cambridge House Safer Renting.

Strengthening our relationship with our enforcement and ASB colleagues to tackle owner occupied properties that are affecting the street scene or having a detrimental effect on neighbourhoods.

#### **Priority Five: Help to improve the energy efficiency of private sector housing.**

We'll do this by:

Investigating if private landlords can be offered dedicated energy efficiency advice and funding opportunities to help them meet the Government proposal that the Minimum Energy Efficiency Standard (MEES) in private rented homes is raised from 'E' to 'C' in 2028. Advice will be given to landlords in advance so they can make sure their properties are compliant as soon as possible.

Consulting on the possibility of offering discounts on property licences if properties have a very good energy efficiency rating.

Refusing licence applications where the energy efficiency rating is below 'E'.

Working with landlords and tenants, as living in a cold home has a detrimental impact on health and can increase the risk of cardiovascular problems and strokes. Improving the energy efficiency of homes would help to alleviate fuel poverty amongst private tenants.



## Glossary

**Category 1 hazards** These are hazards in the home which pose a serious and immediate risk to the health and safety of the occupants. Once identified, the local authority has a duty to ensure they take action for them to be removed.

**Civil Penalty Notices** Civil Penalty Notices were introduced as part of the Housing and Planning Act 2019, and they enable councils to fine landlords up to £30k per offence as an alternative to prosecution if they commit certain offences. Landlords have an opportunity to make representations before a final notices is served, which may be then appealed.

**Fitness for Human Habitation Act 2018** The Act enables tenants of all tenures to take legal action against their landlord if their property doesn't meet certain standards. It was implemented for new tenants in March 2019 and for existing tenants in March 2020.

**Fuel poverty** A household is considered to be in fuel poverty if their fuel costs are above average, and if they were to spend that amount on keeping their home warm, they would be left with an income which would take them below the official poverty line.

**Housing, Health and Safety Rating System (HHSRS)** The HHSRS was introduced as part of the Housing Act 2004. It is a risk based evaluation tool which enables local authorities to assess any risks in the home to occupants. There are 29 hazards possible hazards which could have an impact on the health and safety of the occupants. The most serious are Category 1 hazards (see above).

**Housing Advice Service** The service within the council which helps people at risk of homelessness, and can offer advice on how tenants can find other privately rented accommodation.

## Appendices

### Appendix 1 - Empty Property Policy 2024 - 2029

#### London Borough of Barking & Dagenham Empty Property Policy 2024 – 2029

This Empty Property Policy sets out the key priorities and issues concerning empty homes in the borough.

There is a severe housing shortage in London and empty properties are a wasted resource. Empty properties are an eye sore, can blight a neighbourhood and have a detrimental impact on the lives of residents and the community. They attract antisocial behaviour, fly tipping, vandalism and other criminal behaviour as well as increasing the fear of crime.

Empty properties can deteriorate rapidly often causing damp and structural problems for adjoining properties. They also attract squatters, leading to a multitude of problems in the neighbourhood. This in turn puts pressure on public resources including emergency services and various council departments.

The quickest and most cost-effective way to return an empty property back into use, is by property owner carrying out all necessary renovations and reoccupying the property, therefore increasing the housing supply. Empty property owners are missing out on the chance to earn valuable income on the property and are paying higher rates in terms of council tax and other insurance premiums.

It is the policy to target those homes which have been left empty the longest, which blight communities, attract anti-social behaviour and or crime. The policy sets out our objectives and the tools that can be used.

#### **Our objectives are to:**

- Prioritise properties that have been empty for over 2 years, are an eyesore, attracting antisocial behaviour and properties where we are receiving a high volume of complaints about.
- Engage with owners and encourage them to bring long term empty properties back into use.
- Develop a co-ordinated and comprehensive approach to help identify and tackle empty homes.
- Explore innovative solutions.
- As part of our property licensing schemes, empty homes in the borough will be targeted within the designations to ensure a co-ordinated approach to improving communities.

#### **Using the following means:**

- Raising awareness.
- Advising property owners.
- Promoting leasing schemes. These generally run between 3-5 years and will provide a guaranteed rent and full management of the property.
- Encouraging sale on the open market or by auction.
- Encouraging letting privately.
- Advising on VAT incentives for renovations.
- Working closely with the Local Police and Community Safety Team, Anti-social behaviour team, Environment Enforcement Team and Council Tax team.

- Charging double council tax for properties that are empty between 2 and 5 years and treble for properties that have been empty over 5 years, in line with LBBD's Council Tax policy.
- Maintaining accurate records of long term empties.
- Providing an online reporting tool.
- Using enforcement tools: Statutory Notices to address defects, carrying out works in default where Notices haven't been complied with, considering prosecution or Civil Penalty Notices, considering compulsorily acquiring the property or enforcing the sale if there is a relevant debt.

### **Appendix 3 – How IMD is calculated**

IMD 2019 ranks every small area or neighbourhood in England from 1 (most deprived area) to 32,844 (least deprived area) and is based on 39 separate indicators within the domains of income deprivation, employment deprivation, health deprivation and disability, education, skills and training deprivation, barriers to housing and services, crime, and living environment deprivation.