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**30 November 2022**

**Rt Hon Michael Gove MP**

Secretary of State for Levelling up Housing & Communities  
Minister for Intergovernmental Relations

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## **HOUSING STANDARDS IN RENTED PROPERTIES IN ENGLAND**

I would like to provide this initial response to the issues of damp and mould highlighted in your letter dated 19<sup>th</sup> November 2022 on behalf of Sheffield City Council. We take our responsibilities under the Housing Act 2004 seriously as a Council and recognise the impact that damp and mould can have on the occupants of poor housing in our city. Our response to your initial queries:

### **1. Have particular regard to high scoring (bands D and E) category 2 damp and mould hazards.**

- We are ensuring that reports relating to damp and mould from tenants are prioritised and fast tracked to inspecting officers for investigation. Where we find high scoring hazards we take strong and robust enforcement action including serving significant financial penalties on the most serious offenders.
- We have utilised the financial penalties powers granted by Government as a deterrent to drive out rogue landlords to ensure tenants live in safe, well managed homes.
- Our current process in dealing with complaints acknowledges damp and mould could be a significant hazard and we would highlight the defects/issues to the landlord/managing agent. We allow a reasonable time for an informal resolution



(depending on the work required) and would then look to use enforcement powers if the informal approach is unsuccessful. This is evidenced by the number of prosecutions and financial penalties we have issued (see response to Q4 for figures).

- Following the tragic death of Awaab Ishak we have reviewed our approach to damp and mould and in addition to the above actions enforcement officers have been instructed to have particular regard to category 2 damp and mould hazards.
- We had already instructed officers to consider excess cold and damp and mould this winter period as we had identified the importance of tackling these hazards considering the impact of the cost-of-living crisis.

**2. Supply the department with an assessment of damp and mould issues affecting privately rented properties in your area, including the prevalence of category 1 and 2 damp and mould hazards.**

- We do not have any city-wide statistics about damp and mould. We have recently completed a stock condition survey for the city, but this survey did not provide any specific statistics for damp and mould. The survey did provide information that could be an indicator of possible damp and mould prevalence, but this was through associated data related to excess cold, low income, low EPC and fuel poverty. We are working with multiple data sets to better understand the range of archetypes in our city and will use this to inform our approach to conducting future individual surveys.

**3. Supply the department with an assessment of action you have identified that may need to be taken in relation to damp and mould issues affecting privately rented properties in your area.**

- We are investigating whether we can use the data above to identify high-risk areas in the city that have a significantly higher chance of developing damp and mould hazards. We have just started this analysis and therefore cannot advise whether the data will lead to tangible results and an actionable enforcement programme. We will be able to give an update by 27 January 2023 as to the effectiveness of this analysis.
- Our aim is to target areas where damp and mould are more likely through proactive enforcement to tackle the hazards. This aim is, however, subject to having sufficient resources in place to expand our current activities. The team is focussed on reactive work, given the size of the private rented sector in Sheffield, and do not have the capacity to carry out extensive proactive work without additional Government funding. Resources and funding would be required to prioritise this proactive work in any areas identified through our analysis. Without this it is likely that other priority work areas would have to cease to enable this activity to take place.

**4. In addition, pursuant to your duties under section 3(3) of the Act, I would like you to provide the following data covering your last three 12 monthly reporting periods for privately rented properties in your area:**

- *How many damp and mould hazards you have remediated, compared to your assessment of the prevalence of these hazards:*
  - April 19 – March 20 - 81
  - April 20 – March 21 - 20
  - April 21 – March 22 - 40
- We do not hold data on the prevalence of damp and mould and therefore cannot provide this part of the data request.
  
- *How many times you have taken enforcement action to remedy damp and mould hazards and the form this has taken:*
  - April 19 – March 20 - 11
  - April 20 – March 21 - 3
  - April 21 – March 22 - 14
  
- *How many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould hazards:*
  - April 19 – March 20 - 3
  - April 20 – March 21 - 4
  - April 21 – March 22 - 2
  
- *How many prosecutions have been successfully pursued in relation to damp and mould hazards:*
  - April 19 – March 20 - 0
  - April 20 – March 21 - 3
  - April 21 – March 22 - 0

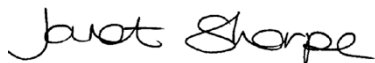
**5. Set out how you are prioritising enforcement of housing standards more generally in your authority, across all tenures, including what plans you have to ensure adequate enforcement capacity to drive up standards in the private rented sector.**

- We enforce all serious hazards that the local authority identifies and take appropriate enforcement action in relation to those hazards. We continue to use all enforcement tools available and strive to improve our systems and enforcement methods to drive up standards and ensure that we are protecting tenants within Sheffield.
- We have a Selective Licensing scheme designation that was put in place to directly address poor property condition. This demonstrates the Council's commitment to driving up standards across the private rented sector and continue to review the need for future interventions.

- In common with all local authorities, we are facing budgetary challenges. Our focus is on reactive intervention and remediation of significant hazards within the private rented sector within Sheffield. We do want to expand our proactive work and undertake more extensive programmes of private sector prevention but currently our ability to inspect a significant proportion of private rented properties is limited.
- There are challenges in recruiting experienced, competent officers so we have explored how we can address this. This resulted in us working in partnership with Leeds Beckett to introduce a Private Housing Standards apprentice role to create more capacity within the service.
- We have been proactively working with Government about proposed Decent Home Standards to ensure that they are robust and enforceable, and we look forward to continuing to contribute to these invaluable discussions and helping to shape the future of enforcement in this growing sector.
- We will keep the situation under review and continue with discussions as a Council about how we prioritise resources for the residents of Sheffield. We would welcome further discussions with your Department about the availability of additional resources from government to support an expansion of this particularly important agenda.

I hope that this provides sufficient information as an initial response and gives assurance that we continue to take this issue seriously in Sheffield.

Kind Regards



**Janet Sharpe**  
**Director of Housing for Housing and Neighbourhood Services**