



Department for Levelling Up,
Housing & Communities

Standards in rented homes

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Current regulation and standards

Properties must be free from dangerous hazards, meet the Decent Homes Standard and be fit for human habitation

Housing Act 2004

- Local councils have a duty to take enforcement action if they identify dangerous 'category 1 hazards'.
- Assessed using the Housing Health and Safety Rating System.
- Damp and mould is an HHSRS hazard

Homes (Fitness for Human Habitation) Act 2018

- All landlords to ensure their property is fit for human habitation at the beginning of the tenancy and throughout.
- Tenants can take action in the courts for breach of contract.
- This includes damp and mouldy conditions

Decent Homes Standard

- Set the minimum standards that social homes are required to meet since the early 2000s.
- Designed to encourage social landlords to engage more with life-cycle maintenance and programmed maintenance.
- Includes category 1 hazards but also 'thermal comfort'.

Other regulation

- Gas safety
- Smoke and carbon monoxide alarms



Government commitments about standards

Three main government white papers

**Social
housing
white paper**

**Committed to review
the Decent Homes
Standard.**

- We convened a Sounding Board of residents, experts, landlords and sector representatives to provide support to the Review.
- Concluded that the Standard is broadly fit for purpose but requires updating in certain respects.

**Levelling up
white paper**

**Halve non-decent
rented homes by 2030**

- Also committed to explore minimum standards in the private rented sector.
- Part 2 of the DHS review will now consider how best to deliver on our ambition on reducing non-decent homes for both social and private rented sectors.

**Private
rented
sector white
paper**

**Committed to
introduce a DHS in
the PRS**

- Consultation last year, we're reviewing responses.
- Parity between the tenures.



Damp and mould

- Part of Decent Homes Standard.
- Minimum standard.



Energy efficiency

- Minimum energy efficiency standards in the PRS.
- For the SRS we will ensure that the Decent Homes review considers how the standard can work to support better energy efficiency and the decarbonisation of social homes.



Electrical safety

- Regulations to require five yearly inspections and testing.



- The Housing Ombudsman Service (HOS) is set up by law to look at complaints about the housing organisations that are registered with them. The service is free, independent and impartial.
- HOS resolves disputes involving the tenants and leaseholders of social landlords (housing associations and local authorities) and a small number of voluntary members (private landlords and letting agents)
- The Ombudsman can decide whether a registered provider of social housing in England has been responsible for maladministration while carrying out its landlord functions.
- The Ombudsman can instruct the housing provider to take steps to put things right or to compensate the complainant
- The Ombudsman promotes good practice and supports landlords and tenants to resolve disputes between themselves.
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How the complaints process works

- The Housing Ombudsman is focused on helping to resolve individual complaints made by tenants, shared owners and leaseholders about their landlords. They can consider complaints and disputes and may help mediate to find a resolution.
- The Ombudsman encourages landlords and residents to resolve complaints locally at the earliest possible opportunity through its Complaint Handling Code and dispute support service.
- Once a resident has completed their landlords complaints process, if they remain dissatisfied, they may escalate their complaint to the housing Ombudsman
- The Ombudsman will decide if the complaint is within their jurisdiction. Once it is accepted, they will try to resolve the issue through their 'alternative dispute resolution' process -an alternative process to formal investigation. The Housing Ombudsman will work with the person making the complaint, and the landlord to help resolve the dispute at an early stage.
- If the complaint is not resolved following the early resolution process, it will be investigated under the formal investigation process which involves gathering evidence from both the resident and the landlord to feed into the formal investigation
- Where the investigation finds evidence of a service failure, the Ombudsman will make one of the following findings:
 - **Maladministration** – this could be a finding of service failure, maladministration or severe maladministration, depending upon the seriousness of the failure and the impact on the resident
 - **Reasonable redress** - There is evidence of service failure or maladministration however the landlord has identified and acknowledged this, either as part of the early resolution process or on its own initiative. It has taken steps, and/or made an offer of compensation, that puts things right.
- The Ombudsman can offer advice at the early stages of a complaint, about the best way forwards and direct residents to advice agencies and if appropriate, advice about legal routes.
- The Ombudsman can refer issues of regulatory concern about a registered provider to the Regulator of Social Housing.



What we are doing to help improve the service

Social housing white paper

Set out how we would ensure your complaints dealt with promptly and fairly

- Provide residents with consistency across landlord complaint handling by ensuring landlords self-assess against the Housing Ombudsman's Complaint Handling Code by 31 December 2020.
- Ensure tenants know how to raise complaints and have confidence in the system by launching a communications campaign. We will expect landlords, the Housing Ombudsman and the Building Safety Regulator to ensure residents have clear and up to date information on how to complain.
- Legislate to ensure clear co-operation between the Housing Ombudsman and the Regulator of Social Housing to hold landlords to account more effectively when things go wrong.
- Make landlords more accountable for their actions by publicising the details of cases determined and published by the Housing Ombudsman.

Social housing regulation bill

How we will strengthen the service

- Through the Bill, powers available to and duties expected of the Housing Ombudsman to investigate complaints made against social landlords, will be put in statute.
- The powers of the Housing Ombudsman will be strengthened to support them to improve landlord complaint handling standards across the social housing sector.

What we have already done

Faster access to the Ombudsman: we have changed the law so that residents can now complain directly to the Ombudsman instead of having to wait 8 weeks while their case is handled by a local MP or other 'designated person.'

Name and Shame: In August 2022 we announced that the Department will highlight poor practice by landlords including on its social media platforms. We will publish 'Severe Maladministration' findings by the Ombudsman and the Secretary of State will write to these landlords.

Raising Awareness: We have run three 'awareness raising' communications campaigns in 2021, 2022 and 2023 to raise awareness of where social residents can go to complain and how to do so