



Department for Levelling Up,
Housing & Communities

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***Department for Levelling Up, Housing and
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For the attention of all
Housing Enforcement Teams

25 November 2022

Dear Chief Executive,

Housing Standards in Rented Properties in England

The Secretary of State for Levelling Up, Housing and Communities, the Rt Hon Michael Gove MP, wrote to you on 19 November following the tragic and avoidable death of Awaab Ishak.

I am following up with more detail on his request concerning the critical matter of taking damp and mould seriously and urgently improving conditions for private and social tenants.

In his letter, the Secretary of State directed all local housing authorities to carry out three actions in line with your duty under section 3(3) of the Housing Act 2004. These actions were to:

- have particular regard to high scoring (bands D and E) category 2 damp and mould hazards, as outlined in the guidance 'Housing health and safety rating system (HHSRS) enforcement guidance: housing conditions';ⁱ
- 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; and
- 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.

The Secretary of State also requested information on the specific activity you have taken over the last three years to address damp and mould hazards in the private rented sector (PRS), with specific questions covering the amount and nature of remediation and enforcement activity, Civil Penalty Notices and prosecutions. He also asked you to set out the plans you have in place to prioritise the enforcement of housing standards more generally, with a particular focus on how you will ensure adequate enforcement capacity to drive up standards in the PRS.

The Regulator of Social Housing has separately written to registered providers of social housing to highlight landlords' responsibility to take action to protect tenants from hazardous damp and mould, and request information about their properties.ⁱⁱ

I would like to clarify what we are requesting in your initial response by 30 November 2022 and in your full response by 27 January 2023.

Guidance for the initial response – 30 November 2022

We recognise that it will take time for local authorities to bring together the full set of information requested. The Secretary of State would like to make sure these actions are being acted on in advance and therefore by **30 November 2022**, would like an initial response to set out:

- confirmation you have received and will pick up the request as set out above;
- a plan setting out how you are intending to prioritise addressing the issues of mould and damp for privately rented properties in your area, with specific reference to how you intend to meet the request set out above;
- any issues you envisage with completing the full response for 27 January and/or where further clarity from the department would be helpful.

We recommend this initial response be no longer than three A4 pages (although recognise that circumstances will vary) and that the majority focuses on the second bullet point relating to your damp and mould plan.

We would be grateful if you would email your initial response to housingstandards@levellingup.gov.uk by 30 November 2022.

Guidance for the full response – 27 January 2023

We will be working with local authorities and the Local Government Association (LGA) to develop a response form, which we hope will help and that we will share in the coming weeks. Once shared, we would be grateful if this could be completed at the earliest opportunity and no later than 27 January 2023.

We are looking for an honest and factual assessment. Our team will review the information to make recommendations on how we can address this critical issue. The information will also help us to better understand the current enforcement landscape and feed into policy development for improving the quality of housing in the private rented sector.

Thank you in advance for your time in assisting with this request and for the essential work you do to address these important issues. If you have any further questions, please feel free to contact us at housingstandards@levellingup.gov.uk.

Best wishes,



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ⁱ <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-enforcement-guidance-housing-conditions>

ⁱⁱ <https://www.gov.uk/government/publications/letters-to-registered-providers-about-damp-and-mould>