



**private housing standards**



**Making a  
Difference**

**Our Annual Report**  
April 2011 – March 2012





“ providing safe, healthy and well managed privately owned homes ”

## Introduction

Welcome to our annual report. This is an exciting and a challenging time for us. In the last year, we have seen private renting coming more under the spotlight than for many years. A number of television and radio programmes have highlighted concerns about the quality of private rented homes and how they are managed.

Shelter promoted its campaign ‘Calling Time on Rogue Landlords’ and attention was drawn to the expansion of the private rented sector and the move towards Britain becoming a ‘Nation of Renters.’

In Sheffield, as elsewhere, the private rented sector continues to grow.

Around 12% of the homes in Sheffield are now rented privately. Since 2001 the private rented sector has grown by 4%, and it is expected to grow further as access to other tenures remains restricted.

New government legislation could see private renting playing a larger part in the housing of vulnerable and homeless people.

In Sheffield, we enjoy the relationship we have with many of our professional private landlords, and we are looking forward to expanding that partnership.

However, we are also getting tougher on the landlords that don’t take their legal obligations seriously.

So, we are getting ready to face the challenges ahead and we welcome the important role that the private rented sector will be playing in meeting the housing needs and expectations of the people of Sheffield.

## The Council's role

We have a legal duty to ensure that private rented housing in the city is safe and properly regulated but more than this, we want private rented housing to make a real, positive contribution towards Sheffield being a great place to live.

We do this by working with partners such as the fire service, health service, the universities, building contractors, private landlords and the police.

## Making private rented housing safe

We have a responsibility to intervene when we become aware of serious hazards or potential dangers in private rented housing and we can require landlords to do repairs or carry out work to remove health and safety hazards.



### What sorts of Houses have to be licensed by the Council?

- at least 3 storeys
- more than one household
- occupied by at least 5 people

However, where possible, we aim to resolve problems by working informally with landlords to help advise them how to put things right.

Much of our work involves liaising with landlords and their contractors, to give them advice about improving their properties.

### Licensing Houses in Multiple Occupation

The Council also has to make sure that certain types of larger house, occupied by more than one household and known as Houses in Multiple Occupation (HMOs) are





licensed with the Council and that they meet the required safety standards.

As well as dealing with the most serious hazards, we work with landlords to advise them about any problems with their properties and we encourage them to achieve high standards in the condition of properties they let out.

## Preventing unlawful eviction and harassment

To make sure that private renting is responsibly managed, and so that tenants can feel safe and secure, the Council also uses its powers to minimise any risk of tenants being made to leave unlawfully. We work pro-actively to increase awareness of tenancy law amongst landlords and tenants.

## Bringing empty properties back in to use

We contribute to making the best use of the city's housing stock by taking action to bring nuisance empty properties back into use.

## How are we doing?

### Making private rented housing safe

In 2011-12, Private Housing Standards received 681 requests from private tenants wanting advice or intervention to help resolve issues of disrepair or potential hazards in their homes.

These enquiries led to our officers carrying out 743 inspections.

### What are Sheffield's most common housing hazards?

- falls on stairs
- falls on level surfaces
- entry by intruders
- excess cold
- fire

## How we helped a young family

### **A family with young children reported that their central heating was not working.**

We contacted the landlord's agent who said that the owner had refused to carry out repairs whilst the tenant was living there. We made direct contact with the owners who initially refused to get the work done.

We explained the likely consequences of not doing the repairs and the landlords agreed to do the work we had identified.

Still the work was not done and so we served a legal enforcement Notice and the repairs were then carried out within a matter of days.

During these inspections we have to carry out an assessment using government guidelines, to assess and rate health and safety hazards.

Last year, Category 1 Hazards (the most serious level of risk) were identified and put right in 118 homes. In a further 11 homes, statutory nuisances, (building defects having a serious impact on the welfare of tenants) were put right.

Sheffield has 5 housing hazards that stand out above the rest. All these hazards particularly affect older people.

In the majority of cases, officers are able to work with landlords to get work done without

having to resort to any kind of legal action. This often involves talking to the landlord, carrying out joint visits with landlords and providing a list of work which is required to make the house safe.

If we cannot get a landlord to work with us, we may need to serve a 'Notice' which requires the owner to do repairs or make something safe. Last year, we served 37 of these formal Notices, and a further 244 informal Notices.

A landlord who ignored a formal Notice, was successfully prosecuted in the Magistrates Court resulting in him now having a criminal record.

**36% of properties in the private rented sector are significantly affected by excess cold; the effects of which seriously affect the health and well being of the elderly**

## How we helped the elderly and vulnerable

### **An elderly tenant asked our advice about his very cold bedsit, built around 1900 and in poor condition.**

We inspected his home and identified what was needed to make him safe and more comfortable including better heating and repairs to windows.

We met the landlord informally on site and advised him what needed to be done and also involved the tenant in deciding how to progress things.

As a result, a range of general improvements were made including better heating and insulation, modernising the kitchen and repairs to the windows.



## Licensing Houses in Multiple Occupation (HMOs)

Most houses occupied by more than one household, at least 5 people and which have 3 or more storeys, have to be licensed by the Council. This ensures that those houses most likely to contain risks, are safe, in good repair and well managed.

There are currently over 1,600 licensed HMOs in Sheffield. We have attached conditions to all these licences to make sure that they are safe for people to live in. Last year, 163 new properties were licensed.

Changes to the way private tenants are paid benefit, are likely to lead to an increase in

the demand for HMO accommodation in the months to come.

As well as carrying out the checks required specifically for HMOs, we carried out 231 general health and safety assessments of HMOs.

It is an owner's responsibility to make sure that they get a licence but we are also keen to pro-actively trace HMOs where owners have not come forward.

Last year, we carried out investigations on 197 suspected licensable HMOs and found a further 41 unlicensed HMOs meaning that we have been able to make sure these homes are now safe and sound.

## Working with the fire service

**South Yorkshire Fire & Rescue Service referred a property they believed to be an HMO through to Private Housing Standards.**

We arranged to meet the owner at the property and gave him advice on general HMO standards, means of escape from

fire, other fire precautions and advice on health and safety rating standards.

This type of work results in HMOs being right first time and the owner was able to proceed with the work knowing exactly what was required.

**Not every landlord is so keen to accept their responsibilities and last year we successfully prosecuted the owner of an HMO who failed to licence a property and failed to put in place the proper fire safety measures despite repeated warnings from the Council. A financial penalty of £1,500 was imposed.**

## Empty properties

The Council is keen to make best use of the city's homes and bring back into use long term empty properties.

This can also have a positive effect on the neighbourhood by

- reducing crime and anti-social behaviour such as vandalism,
- improving the appearance of the locality and
- preventing the premises attracting rubbish dumping and vermin

Our preferred approach is to encourage owners to make use of the asset they own on a voluntary basis. However, in the very worst situations, where this does not occur, the Council has enforcement powers to bring problematic long term empties back into

use. These powers include

- compulsorily purchasing the property,
- taking over management of properties by applying for an Empty Dwelling Management Order
- serving notices to put right nuisance and disrepair and
- where notices and warnings are ignored, getting work done ourselves and recovering the debt.

Last year, enforcement action was taken on 14 occasions on 8 problem long term empty properties.

In 4 cases, court warrants were taken out to enable Council officers to enter premises and these all resulted in the owner taking positive action to bring the empty property back into use.

## Raising awareness of tenancy rights and responsibilities and removing the fear of unlawful eviction

Our commitment to ensuring that private renting offers a safe and attractive form of housing, includes doing all we can to make sure that tenants are not in fear of being made to leave their home unlawfully.



## Advising landlords and quelling fear and uncertainty

**A landlord gave Notice to a tenant with 4 young children. He then sent an email to the tenant saying he intended taking the house back on the date the Notice ran out.**

The tenant had no where else to go and was very anxious that the landlord would come round banging on the door and force her and her young children to leave.

We contacted the landlord to advise him that the Notice didn't itself, end the tenancy and to explain the procedure for getting the

tenant to leave. The landlord only rented out one property, had not understood the law and was grateful for the advice we gave him.

The landlord was also sent an email with advice including website links, a Landlord Information Pack and the Government's Possession Factsheet which he said he found to be very useful.

This action gave peace of mind to the tenant, as well as helping an inexperienced landlord to get things done properly.



This includes making sure landlords and tenants are aware of their respective rights and obligations, and that they know the correct legal framework for resolving disputes so that they do not escalate.

Last year, the Tenancy Relations team in Private Housing Standards gave advice or intervened in 1,121 cases.

322 cases involved the tenant being asked to leave unlawfully and 130 cases involved allegations of either unlawful eviction,

threatened unlawful eviction or tenants alleging that they were being harassed by their landlord.

In 70% of cases this year, the threat of illegal eviction was averted, or the tenant was let back in, or the harassment was ended following our intervention.

In most of the remainder of these cases, the tenant, once made aware of their rights, preferred to talk to the landlord themselves.

Every case, where there was an allegation of a tenant being made to leave unlawfully, was thoroughly investigated.

Sheffield City Council believes that unlawful eviction cannot be tolerated in a successful and responsible private rented sector, and so, on the relatively few occasions where it happens, and, where there is sufficient evidence, perpetrators are prosecuted through the criminal courts.

## Working in partnership

### Working with health professionals to tackle ill health and accidents in the home

We are keen to work more closely still with our partner services, and last year we carried out an innovative project with the NHS to tackle the five top health and safety hazards in private rented properties in the Fir Vale and Page Hall areas.

This involved taking referrals from GP surgeries, other health professionals, the fire service and other services which have concerns about hazards in properties they visit, as well as taking some referrals from tenants themselves.

We then arranged to do minor work to improve health, such as eradicating condensation mould, and reducing risks such as falls, by fitting handrails to stairs and patching worn paths and fitting outside lights.

Bigger repair problems still needed to be taken up with the landlord, which helped educate landlords about their obligations too. This pilot project is being evaluated to assess the most effective means of linking improvements to housing with health and safety benefits.

## Housing the homeless

The Council values the role that private renting can play in helping people in housing need but we need to ensure that houses which are used to help vulnerable people are safe and in good condition.

Last year, we visited 115 properties referred to us by the Council's team which helps homeless families. In all these cases, a health and safety assessment was carried out and landlords were advised where work was needed.

### Working with the universities

Many students in Sheffield live in the kind of HMOs which have to be licensed, and this enables us to make sure that those students live in safe, good quality accommodation.

We also have a partnership with the Sheffield universities to ensure that students in other kinds of accommodation live in homes of a similarly high standard.

This partnership resulted in officers visiting a further 24 properties, in addition to the inspections we needed to do as a part of HMO licensing.

### Working with private landlords

We advise and work positively with individual landlords on a daily basis, but we are also keen to have a positive and constructive relationship with Sheffield's Landlord Associations.

Last year we continued to meet with Sheffield and District Landlords Association (SADLA), Sheffield Student Landlords Association (SSLA) and the National Landlords Association to hear views, consult and provide information about what we are doing.



## Helping landlords and tenants to talk through issues

**A tenant told us that his landlord has put an extra lock on the door of his room in a shared house, locking him out.**

The Tenancy Relations Officer (TRO) spoke to the landlord and made him

aware of the consequences of making a tenant leave unlawfully and provided advice about how to do things properly.

As a result of the TRO's intervention, the tenant got back into his room the same day.

## Enforcing the law when we need to

### Prosecutions under the Protection from Eviction Act in 2011-12

Four cases were successfully prosecuted for offences under the Protection from Eviction Act. All were publicised in the local press:

- A landlord pleaded guilty to changing the locks and sending text messages on a daily basis. A financial penalty was imposed, including costs to the Council and this landlord now has a criminal record.
- A landlord pleaded guilty to sending harassing text messages, making late night visits to the tenant's home, demanding money and threatening eviction before changing the locks on the property as the tenant was in the process of moving out. A financial penalty of £1,005 was imposed including costs to the Council.
- Threats of unlawful eviction culminated in the landlord locking the tenant out for 2 days before he was persuaded to let the tenant back by the Tenancy Relations Officer.

The Magistrates said that the offences of 'harassing' were so serious as to cross the custody threshold, and a prison sentence of 28 suspended for 12 months was imposed as well as a 28 day curfew from 9pm to 7am each day.

- A tenant's possessions were removed from his flat whilst he was in hospital. Despite repeated requests from the Council, the tenant was not let back in and two months later, the flat was re-let.

A financial penalty of £3,673 was imposed including costs to the Council.

## Promoting our work

We feel it is important to proactively publicise our work in the media. Last year, as a result of our successful outcomes, the Sheffield Star published 5 articles promoting our work and publicising our service and successes, one article covering almost a full page.

We also took the opportunity to promote and publicise our work on 2 local radio programmes during the last year.

## Bouquets and brickbats

### Complaints

We received four separate complaints about our service last year.

In three cases, our decision or approach was found to be entirely correct.

One complaint was partially upheld and led to us improving our communication with the Health and Safety Executive about the non-provision of gas safety certificates.

### Compliments

During the same period, 24 compliments were received.

Amongst them:

- 'Although my situation is not resolved, I am very happy that the service is available on an ongoing basis. Excellent knowledge and very personable.'
- 'It's very encouraging and very reassuring that you're there to help'
- 'Thank you for all your efforts in dealing with our damp and inadequate heating issues. You really listened to our plight and have acted quickly and efficiently to hopefully draw everything to a swift conclusion. Again you were absolutely brilliant and we thank you very much. You are a credit to your department.'
- 'very professional and helpful'
- 'you've been fantastic, thank you so much'
- 'I can't begin to describe how we've felt this last week, to see and hear professional work being done next door. When the extension came down on Thursday so much light came into the kitchen we couldn't stop smiling, and when we went outside to see sky and Sheffield - not breezeblock - it was amazing. Thank you so much.'
- 'I want to write to you to say a massive thank you for the way in which you are dealing with our case on your team. Since you picked the case up a few weeks ago I have been really impressed at how efficient and knowledgeable your team are.

You have all been approachable and kind which makes a big difference when things get really fraught. You have really helped me to deal with this very difficult situation at the above property over the last few weeks, I do not know what I would have done if you had not have stepped in to assist with this matter.

Thank you so much for your involvement and the professional way in which you have handled this situation.'

- 'You've been absolutely wonderful about this'
- 'I really, really appreciate your help. You sometimes think there's no one there to help you but you've been great.'
- 'You have been such a good help. Thank you for your advice. We are new landlords and its taken a weight off our shoulders'
- 'You've worked a miracle. Thank you so much for your help. I'd have been lost without you. My landlord's whole attitude changed because of what you said to him'
- 'Your service gave me peace of mind'



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## **Our contact details**

### **General enquiries and repair issues**

- tel 0114 273 4680
- [www.sheffield.gov.uk/phs](http://www.sheffield.gov.uk/phs)
- [phs@sheffield.gov.uk](mailto:phs@sheffield.gov.uk)

### **Enquiries about Houses in Multiple Occupation**

- tel 0114 273 4680
- [www.sheffield.gov.uk/hmo](http://www.sheffield.gov.uk/hmo)
- [phs@sheffield.gov.uk](mailto:phs@sheffield.gov.uk)

### **Tenancy Relations**

- tel 0114 273 5876
- [www.sheffield.gov.uk/tro](http://www.sheffield.gov.uk/tro)
- [tro@sheffield.gov.uk](mailto:tro@sheffield.gov.uk)

### **Personal callers**

Landlords and tenants can call to Howden House (see below) any weekday between 8.30 am to 5.30 pm.

A Customer Service Adviser will take details of any enquiry or concern and provide initial advice. This will be followed up by specialist advice.

We can not always guarantee specialist advice that day, except in the case of emergency illegal eviction or the most serious of hazards.

### **Postal address**

Private Housing Standards  
1st Floor, Howden House,  
1 Union Street  
Sheffield S1 2SH

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