

Landlord details must be supplied by the tenant. Legally the authority has to notify the landlord 24 hours before inspecting the property. The council will inspect the property within five working days of the complaint.

An officer will look at all usable rooms along with loft space, outdoor areas and buildings that the tenant has access to. The tenant can accompany the officer who will take photographs of the defects.

The information obtained will be used to carry out a risk-based assessment to rate hazards. They are rated from A to J, with A the highest risk to health. The council has a duty to take enforcement action for hazards rated A, B or C. The Enforcement policy also allows action to be taken on hazards rated D.

The council will write to the tenant and the landlord detailing the inspection findings and works needed. The initial approach will be informal, but if the landlord fails to address the hazards the officer must take action. An improvement notice can be served under the Housing Act 2004 - which legally requires the necessary repairs are carried out within a specified timescale.



Failure to comply is a criminal offence punishable on conviction in the magistrates' court by a fine of up to £5000.

Where there is an imminent risk of serious harm and work needs to be carried out urgently - such as no heating or hot water - and the landlord will not carry out the work or cannot be contacted, an Emergency Remedial Action Notice can be served. This allows the council to employ a contractor to carry out the works and recover the cost from the landlord. The council will aim to respond to these complaints within 24 hours.

Shared housing

Shared houses or bedsits are likely to be houses in multiple occupation (HMO) and additional duties apply - including a higher standard of fire safety provision. HMOs that have five or more people and consist of three or more storeys require a licence from the Council and have to comply with specific conditions to protect tenant's health and wellbeing.

For further information or to register a complaint please contact:

HAMBLETON
DISTRICT COUNCIL

Hambleton District Council
Environmental Health Service, Civic Centre,
Stone Cross, Northallerton DL6 2UU

01609 779977
ehs@hambleton.gov.uk
hambleton.gov.uk

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PRIVATE RENTED PROPERTY... ...dealing with repairs



HAMBLETON
DISTRICT COUNCIL

This leaflet will help tenants understand what housing standards they can expect to receive from a privately rented property and what the landlord's responsibility is towards carrying out repairs or dealing with unsatisfactory housing conditions.

Housing conditions

Tenants have the right to have their accommodation kept in a reasonable state of repair. But they also have an obligation to look after the accommodation. The tenancy agreement may give details of the responsibilities of both the landlord and the tenant in carrying out repairs.

A landlord must provide accommodation which gives a safe and healthy environment for tenants - standards can vary between different types and ages of property.

The Housing Act 2004 Housing Health and Safety Rating System identifies 29 hazards found in poor housing. A property can be assessed against these hazards. Common hazards include:

- inadequate heating, ventilation or thermal insulation
- unsafe or unreliable gas and electrical supply
- excessive dampness, water leaks
- disrepair to stairs or lack of guarding or lighting



- lack of kitchen, bathroom or drainage facilities
- lack of fire safety
- structural collapse
- overcrowding

Where hazards pose a significant risk to health or cause a nuisance to others are identified, the landlord can be required to carry out appropriate repairs and improvements to rectify the problem. Unfortunately appearance or decorative issues cannot be taken into consideration.

Involving the Landlord

Tenants who feel they are living in unsatisfactory conditions should first raise the issue with the landlord making a note of the date this was done and listing all the issues raised. Ideally this should be done in writing. A template letter for this is available from this service to help you.

The landlord must be given a reasonable amount of time to investigate and undertake any repair work - this can sometimes involve third parties such as builders or electricians so may take time.

Tenants do not have the right to withhold rent to force the landlord to do repairs. Withholding rent could mean the landlord takes legal action for rent arrears, and tenants could lose their home.

No action

Where the landlord will not take any action tenants can make a formal complaint to the District Council's Environmental Health service - an officer will inspect the property and liaise with the landlord on the tenants behalf. Inspections are carried out under the provisions of the Housing Act 2004.

Whilst it is rare - the landlord may decide to end the housing tenancy if they do not support the approach to complain to the Council. If the landlord wants to continue renting the property he will still have to undertake repairs even with a change of tenant.

Tenants unsure about housing security should contact the Council's Housing Options Team on 01609 779977 who can provide free independent advice on housing, eviction, debt and benefit matters to the residents of Hambleton.

Council intervention does not give additional points towards Housing Association or Council property waiting lists.

Making a formal complaint

Before accepting a complaint the District Council would want to see that the tenant has tried to contact the landlord to resolve the complaint.

