Private Rented Sector Enforcement Toolkit
Interactive Learning
How to use this interactive learning

1. Please navigate through this learning using the ‘previous page’ and ‘next page’ arrow icons.

2. Use the navigation bar at the top of the screen to return to any of these pages. This navigation bar will be visible throughout the learning.

3. If you wish to exit a section, please click on the main menu button at any stage.

4. As you progress through the learning, please click on the interactive icons shown here.
Thank you for accessing this interactive learning.

Local authorities play a vital role in ensuring that tenants in the private rented sector have access to safe and good quality housing.

This document has been designed to help you strengthen your approach to enforcement. There is relevant content in this document regardless of your current level of experience.

Please click on the interactive button below to go to the next page.
This interactive learning is part of a toolkit that consists of several documents. The toolkit aims to support local authorities in taking enforcement action against rogue landlords and agents. 

Click on each document icon to find out more.
Main menu navigation

This interactive learning is divided into five sections.

Although there is a suggested start point, you are not required to cover the material in the specified order.

When you want to return to this page, click on the main menu button at the top of your screen.

Please click on the section you would like to go to.
This section of the interactive learning provides a ‘knowledge check’ to help you self-assess your current level of understanding of the consolidated enforcement guidance and legislation on rogue landlords.

If you would like to review the guidance document before moving forward with this knowledge check, please do so.

If you wish to exit this section at any stage, click on the main menu button.
A few points to consider before starting the knowledge check…

**Self-assessment**
This provides you with an opportunity to identify your own individual strengths and development needs in relation to the guidance and legislation.

To make this learning as effective as possible, we would encourage you to make a note of any topics that you do not score as highly in.

**Instructions**
To select an answer, click on the option or options you think are correct. The option you select will be highlighted. Once you select the ‘submit’ icon, the correct answer will be highlighted in blue on the next screen.

Be sure to click on the guidance icon on each answer page, as this will provide you with a more detailed explanation of the correct answer.

**Review**
You can review the knowledge check questions as often as you like. The first answer you select will remain highlighted on the knowledge check. If you want to attempt the questions again, please download the interactive learning document again.

[Click here to launch the knowledge check]
Let's get started with a few warm-up questions…

1. In 2016-17, the private rented sector accounted for 25% of households in England.

2. The overall size of the private rented sector has increased from 2.1 million households in 1996-97 to 4.5 million households in 2016-17.

3. Good quality and safe housing is something that every tenant has a right to expect.

4. Moving from proactive management to reactive enforcement is a key step in changing landlords’ behaviour.

5. Previous offences should not be taken into account when deciding on enforcement actions.

When you have made your selection for each question, click the submit button.
The correct answers are...

<table>
<thead>
<tr>
<th></th>
<th>Statement</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In 2016-17, the private rented sector accounted for 25% of households in England.</td>
<td>True</td>
</tr>
<tr>
<td>2</td>
<td>The overall size of the private rented sector has increased from 2.1 million households in 1996-97 to 4.5 million households in 2016-17.</td>
<td>True</td>
</tr>
<tr>
<td>3</td>
<td>Good quality and safe housing is something that every tenant has a right to expect.</td>
<td>True</td>
</tr>
<tr>
<td>4</td>
<td>Moving from proactive management to reactive enforcement is a key step in changing landlords’ behaviour.</td>
<td>True</td>
</tr>
<tr>
<td>5</td>
<td>Previous offences should not be taken into account when deciding on enforcement actions.</td>
<td>True</td>
</tr>
</tbody>
</table>
6. Since April 2017, local authorities have been able to issue civil penalties. Please select only the statements that are true.

a. A local housing authority cannot impose a civil penalty and prosecute for the same offence.

b. A civil penalty can be issued for failure to comply with a prohibition order.

c. A separate civil penalty can be issued for each hazard specified on an improvement notice.

d. A civil penalty can be imposed on both a landlord and a letting agent in respect of the same offence.

e. Local authorities are allowed to retain the proceeds from civil penalties to help fund enforcement work.

When you have made your selection, click the submit button.
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**d.** A civil penalty can be imposed on both a landlord and a letting agent in respect of the same offence.

**e.** Local authorities are allowed to retain the proceeds from civil penalties to help fund enforcement work.

**i.** Click on the guidance icon for a more detailed explanation.
7. When imposing a civil penalty, what is the minimum level of penalty? Select only one option.

a. £2,000

b. £3,000

c. £4,000

d. £5,000

e. A minimum penalty level has not been set.

When you have made your selection, click the submit button.
The correct answer is…

7. When imposing a civil penalty, what is the minimum level of penalty? Select only one option.

a. £2,000

b. £3,000

c. £4,000

d. £5,000

e. A minimum penalty level has not been set.

Click on the guidance icon for a more detailed explanation
8. In relation to banning orders, please select only the statements that are true.

- **a.** A breach of a banning order is a criminal offence.
- **b.** There is no statutory requirement in the Housing and Planning Act 2016 to translate a notice of intent into another language.
- **c.** A landlord must be given a minimum of 28 days from the date of the notice of intent to make representations.
- **d.** For the most serious offenders, it is possible to apply a banning order retrospectively.
- **e.** The First-Tier Tribunal is unable to revoke or vary a banning order once it is in force.
- **f.** A spent conviction should be taken into consideration when determining whether to apply for a banning order.

When you have made your selection, click the submit button.
The correct answers are…

8. In relation to banning orders, please select only the statements that are true.

- A breach of a banning order is a criminal offence.
- There is no statutory requirement in the Housing and Planning Act 2016 to translate a notice of intent into another language.
- A landlord must be given a minimum of 28 days from the date of the notice of intent to make representations.
- For the most serious offenders, it is possible to apply a banning order retrospectively.
- The First-Tier Tribunal is unable to revoke or vary a banning order once it is in force.
- A spent conviction should be taken into consideration when determining whether to apply for a banning order.

Click on the guidance icon for a more detailed explanation
9. What is the minimum period a banning order can be in force? Select only one option.

a. 3 months

b. 6 months

c. 12 months

d. 24 months

e. There is no minimum period a banning order can be in force.
The correct answer is…

9. What is the minimum period a banning order can be in force? Select only one option.

a. 3 months
b. 6 months
c. 12 months
d. 24 months
e. There is no minimum period a banning order can be in force.

Click on the guidance icon for a more detailed explanation
10. If a building is comprised of two storeys, and has five or more people from two or more separate households living there, does this fit the definition of an HMO?

- a. Yes
- b. No
- c. It is unclear. More information is required to decide if this building fits the definition of an HMO.

When you have made your selection, click the submit button.
The correct answer is…

10. If a building is comprised of two storeys, and has five or more people from two or more separate households living there, does this fit the definition of an HMO?

a. Yes

b. No

c. It is unclear. More information is required to decide if this building fits the definition of an HMO.
11. In relation to the national database, please select only the statements that are true.

a. Local authorities must make an entry on the database for a person or organisation who has received a banning order.

b. Local authorities must issue the person/organisation with a decision notice before making an entry on the database, specifying the period for which the entry will be maintained.

c. MHCLG is responsible for maintaining the contents of the database.

d. An appeal against a decision to make an entry in the database will not be successful if it is made after the end of the notice period.
11. In relation to the national database, please select only the statements that are true.

- **a.** Local authorities must make an entry on the database for a person or organisation who has received a banning order.
- **b.** Local authorities must issue the person/organisation with a decision notice before making an entry on the database, specifying the period for which the entry will be maintained.
- **c.** MHCLG is responsible for maintaining the contents of the database.
- **d.** An appeal against a decision to make an entry in the database will not be successful if it is made after the end of the notice period.

Click on the guidance icon for a more detailed explanation.
12. What is the maximum amount of rent that can be recovered through a rent repayment order? Select only one option.

a. 3 months
b. 6 months
c. 12 months
d. 24 months
The correct answer is...

12. What is the maximum amount of rent that can be recovered through a rent repayment order? Select only one option.

a. 3 months

b. 6 months

c. 12 months

d. 24 months

Click on the guidance icon for a more detailed explanation.
13. When it comes to identifying enforcement issues, local authorities are likely to implement a combination of reactive enforcement and proactive management. Please select which of the measures below can be classified as a proactive approach for dealing with rogue landlords.

- Licensing schemes
- Triaging issues to relevant departments
- Street surveys
- Multi-agency working
- Responding to complaints from residents
- Landlord accreditation schemes
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a. Licensing schemes
b. Triaging issues to relevant departments
c. Street surveys
d. Multi-agency working
e. Responding to complaints from residents
f. Landlord accreditation schemes

If you didn't select the correct response, please make a note to review chapter two of the guidance document.
14. In relation to improvement notices and hazard awareness notices, please select only the statements that are true.

a. Under the Housing Act 2004 Part 1, local authorities can simultaneously make a prohibition order and serve an improvement notice dealing with the same hazard in the same premises.

b. A hazard awareness notice does not require further action by the person served with the notice, though the authority should consider monitoring any hazard awareness notices that it serves.

c. The service of a hazard awareness notice prevents further formal action, in the event that an unacceptable hazard remains in the property.

d. Although it is possible to deal with more than one hazard in the same improvement notice, the notice cannot specify different deadlines for completion of the various actions required.

e. An improvement notice can require remedial works to start within 28 days of the service of the notice.
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e. An improvement notice can require remedial works to start within 28 days of the service of the notice.

Click on the guidance icon for a more detailed explanation.
15. Local authorities must impose conditions as to the minimum room size that can be occupied as sleeping accommodation in an HMO. What is the minimum sleeping room floor area size for two persons over the age of 10?

- a. 4.64m²
- b. 6.51m²
- c. 8.43m²
- d. 10.22m²
- e. 11.75m²

When you have made your selection, click the submit button.
The correct answer is...

15. Local authorities must impose conditions as to the minimum room size that can be occupied as sleeping accommodation in an HMO. What is the minimum sleeping room floor area size for two persons over the age of 10?

a. 4.64m²
b. 6.51m²
c. 8.43m²
d. 10.22m²
e. 11.75m²
Next steps

Thank you for completing the knowledge check. For any topics you have noted down to review, please refer to the guidance document for clarification. It may also be useful to discuss the topic area with your colleagues.
2. Scenarios

This section of the learning provides you with an opportunity to review and reflect on the enforcement approach that can be taken in different scenarios. 

If you wish to exit this section at any stage, click on the main menu button.

Click here to launch scenarios
2. Scenarios

When you click on each of the scenarios below:

- You will be briefed on a situation, and then have an opportunity to consider the enforcement approach you would take.

- You will then be presented with the actions that were taken, allowing you to compare these with your own chosen approach.

Each scenario will conclude with an outcome summary and a reflection on the opportunity for learning. Look out for the four reflective questions within each scenario. These will appear in speech bubbles.

Please click on the relevant icon below to launch each scenario.

Please click on the relevant icon below to launch each scenario.

When you have viewed all the scenarios, please click on the main menu button.
Uncooperative landlords

**Situation briefing**

The local authority was alerted to a **vulnerable tenant** (an 82-year-old woman) **living in poor conditions** by her next-door neighbour and a partner organisation (a local charity for the elderly). On inspecting the property they found it to be **cluttered**, and to have two **category 1 hazards for excess cold and electrical hazards**. **Category 2 hazards were also identified** including damp, mould and a risk of falls on stairs. The property also had a **defective dormer window**. The landlords were **uncooperative**; they had not responded to the tenant’s request to repair the dormer window, nor the council’s offer to work with them to improve their property.

**What action would you take if presented with these issues?**

Once you have decided on how you would approach the situation click here to review the actions taken.
HMO

Situation briefing

The local authority became aware of a large three-floor house in multiple occupation (HMO) through mandatory licensing requirements, as the owners made an application for a licence. The HMO did not meet the required standards for the following reasons:

• The first floor contained three undersized bedrooms and a studio flat used as a bedroom/bathroom with no windows.

• On the second floor, a five-bedroom flat had insufficient kitchen facilities for the number of occupiers. Also on the second floor, a three-bedroom flat contained one undersized room and had inadequate fire safety measures including a lack of a safe means of escape.

What action would you take if presented with these issues?

Once you have decided on how you would approach the situation click here to review the actions taken
Office block conversion

**Situation briefing**

A four story office block was converted into 47 flats without building regulations approval. Tenants were unable to contact management to report problems and the building ownership consisted of 6 companies with the same director. The main hazards included: excess cold caused by having no fixed heating and single glazed windows; inadequate fire safety measures including a safe means of escape and an unsuitable fire detection system which was not in working order; unsafe electrics which were overloaded and electrical safety checks had not been carried out; poor sanitation and drainage impacting on personal hygiene due to waste water surcharging in baths and toilets, foul water flooding communal areas and flats causing damp and mould; and poor security as the communal areas were commonly entered by intruders who would abuse drugs, sleep rough and use the area for prostitution.

What action would you take if presented with these issues?
Property guardians

Situation briefing

The local authority became aware of a number of historic buildings occupied by property guardians. The buildings were all owned by the same landlord. The local authority deduced that an agent had contracted the property guardians. Each premise was large and had previously been used for commercial purposes. Upon inspection, it was discovered that the central heating system had been decommissioned in each of the buildings, and that the residents were using portable heaters instead. In the largest of the buildings there were a number of fire escape routes that were deemed unacceptably long. These were further obstructed by temporary living arrangements.

What action would you take if presented with these issues?
This section invites you to consider how the main building blocks of a successful enforcement service work together in principle.

As you progress through this section, we ask you to reflect on your own local authority and the approach it takes in tackling issues.

If you wish to exit this section at any stage, click on the main menu button.
3. Enabling a sustainable approach

How do the main building blocks of a successful enforcement service work together in principle?

Click on each heading for more information.
This is not a one-size-fits-all approach…

Do you think the implementation of any of these principles could be improved in your authority?

Clearly, each local authority will prioritise investments in some principles over others to reflect its own specific context. The nature and extent to which these key principles are applied will be determined by local need and resources.
4. Action planning

We have created an interactive action plan pathway to help you create an action plan which focuses on refreshing your enforcement approach and addressing some of the common enforcement issues.

This is an opportunity for you to reflect on how you might use proactive tools such as working with other local authorities and using the rogue landlord database, as well as how you might apply some powers differently.

If you wish to exit this section at any stage, click on the main menu button.

Click here to launch ‘Action planning’
A few points to consider first…

**Instructions**
You can work through the interactive action plan pathway with or without a printed template.

![Click here to view the action plan template](#)

If you would like to download this template, you will need to exit the interactive learning. Please re-open the interactive learning once you have printed a copy.

![Click here to download the action plan template](#)

As you move through the interactive pathway, please either make notes independently or complete the action plan by typing directly into the template or printing a copy and making notes. You can work through the pathway:

- Individually;
- With a colleague;
- Or by making it a wider team activity.

This interactive pathway and action plan have been designed to be reusable. You can come back to the interactive pathway or start a new version of the action plan template at any time.
Action plan pathway

On the action plan pathway below, please click on:
• Each numerical icon.
• On the statement or question attached.

As you work through the action plan pathway below, you will be provided with some prompts to consider for each question or statement.
Next steps…

Now you have created this action plan, it is important to recognise that it is a first draft.

It’s a resource you could now share with your team to test the plan with other people. What questions, views and insights do they have that you can use to refine your plan?

Be sure to revisit your plan on a regular basis. It is helpful to monitor your progress against the plan over time.

Also, as you put your plan into action, you may well encounter circumstances and issues that were unforeseen when you created it. It is important to iterate your plan regularly as unforeseen elements emerge. How will these alter your plan?

All of this means your action plan should be a living document that is updated and fine-tuned as and when required.
5. Building a network

To help strengthen the enforcement approach within your local authority, there are a wide range of organisations you can draw on for information and advice.

**If you wish to exit this section at any stage, click on the main menu button.**
These organisations can provide advice and policy support:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chartered Institute of Housing</td>
<td>Independent voice for housing and home of the professional standards.</td>
</tr>
<tr>
<td>Chartered Institute for Environmental Health</td>
<td>The professional membership body for environmental health.</td>
</tr>
<tr>
<td>Shelter</td>
<td>Registered charity that campaigns to end homelessness and improve housing in England and Scotland.</td>
</tr>
<tr>
<td>Local Government Association</td>
<td>Membership organisation for local authorities in England and Wales.</td>
</tr>
<tr>
<td>Royal Institutions of Chartered Surveyors</td>
<td>Global professional body promoting and enforcing international standards in the valuation, management and development of land, real estate, construction and infrastructure.</td>
</tr>
<tr>
<td>Residential Landlords Association</td>
<td>A community of landlords who deliver day-to-day support, expert advice, government campaigning, plus a range of services relevant to landlords' needs.</td>
</tr>
<tr>
<td>National Landlord Association</td>
<td>UK’s largest membership organisation for private residential landlords, which provides assistance to its members in navigating their legal and regulatory challenges.</td>
</tr>
<tr>
<td>Association of Residential Letting Agents</td>
<td>A professional body for individuals working in residential property lettings and management in the United Kingdom.</td>
</tr>
<tr>
<td>Guild of Residential Landlords</td>
<td>Provides services to help landlords manage and let their property. Provides help, advice, forms and templates including tenancy agreements and notices for landlords or agents.</td>
</tr>
<tr>
<td>Chartered Trading Standard Institute</td>
<td>Represents trading standards professionals working in the UK and overseas – in local authorities, business and consumer sectors and central government.</td>
</tr>
<tr>
<td>Local Tenant Groups</td>
<td>Local tenant groups provide help and advice to tenants on housing.</td>
</tr>
</tbody>
</table>
Thank you for completing this interactive learning

We hope this learning has helped you take a step back from your day-to-day work, and think about the positive actions you can take to improve enforcement action within your local authority.

Any time spent completing this interactive learning can be logged as hours of CPD.