



Ministry of Housing,
Communities &
Local Government

Private Rented Sector Enforcement Toolkit

Interactive Learning



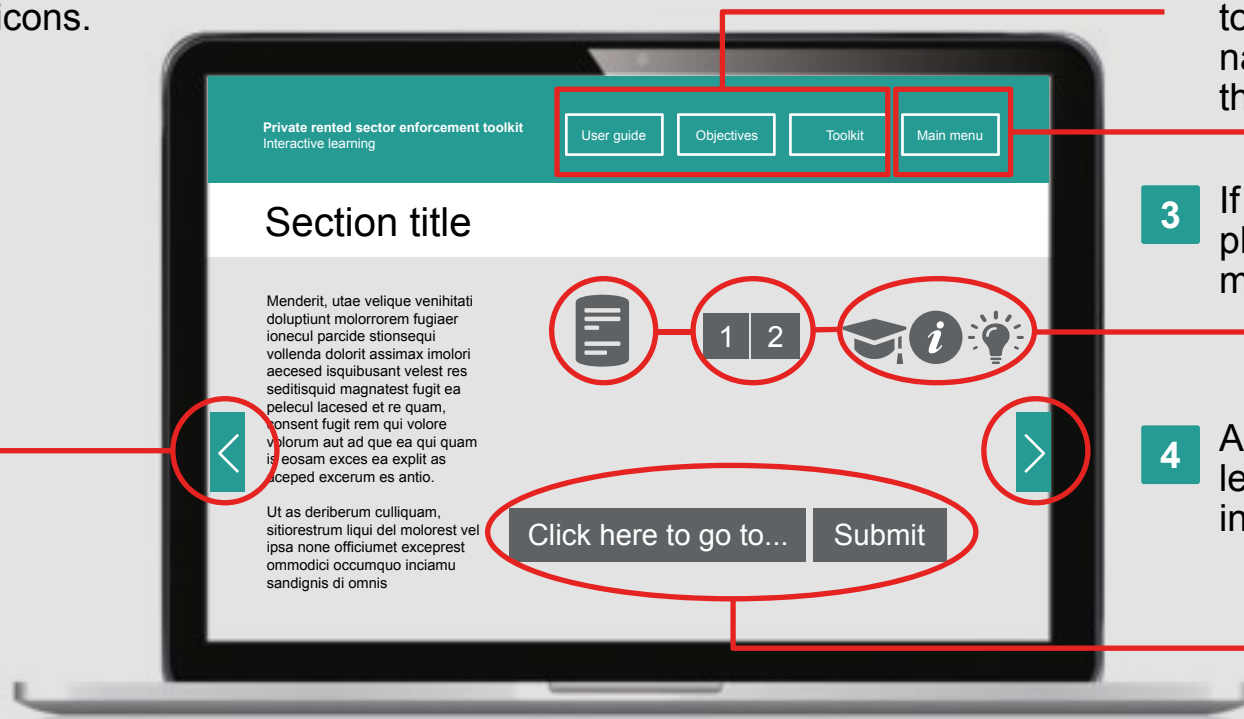
How to use this interactive learning

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.



Welcome and objectives



Private rented sector enforcement toolkit

You are currently
accessing **Learning**.

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.

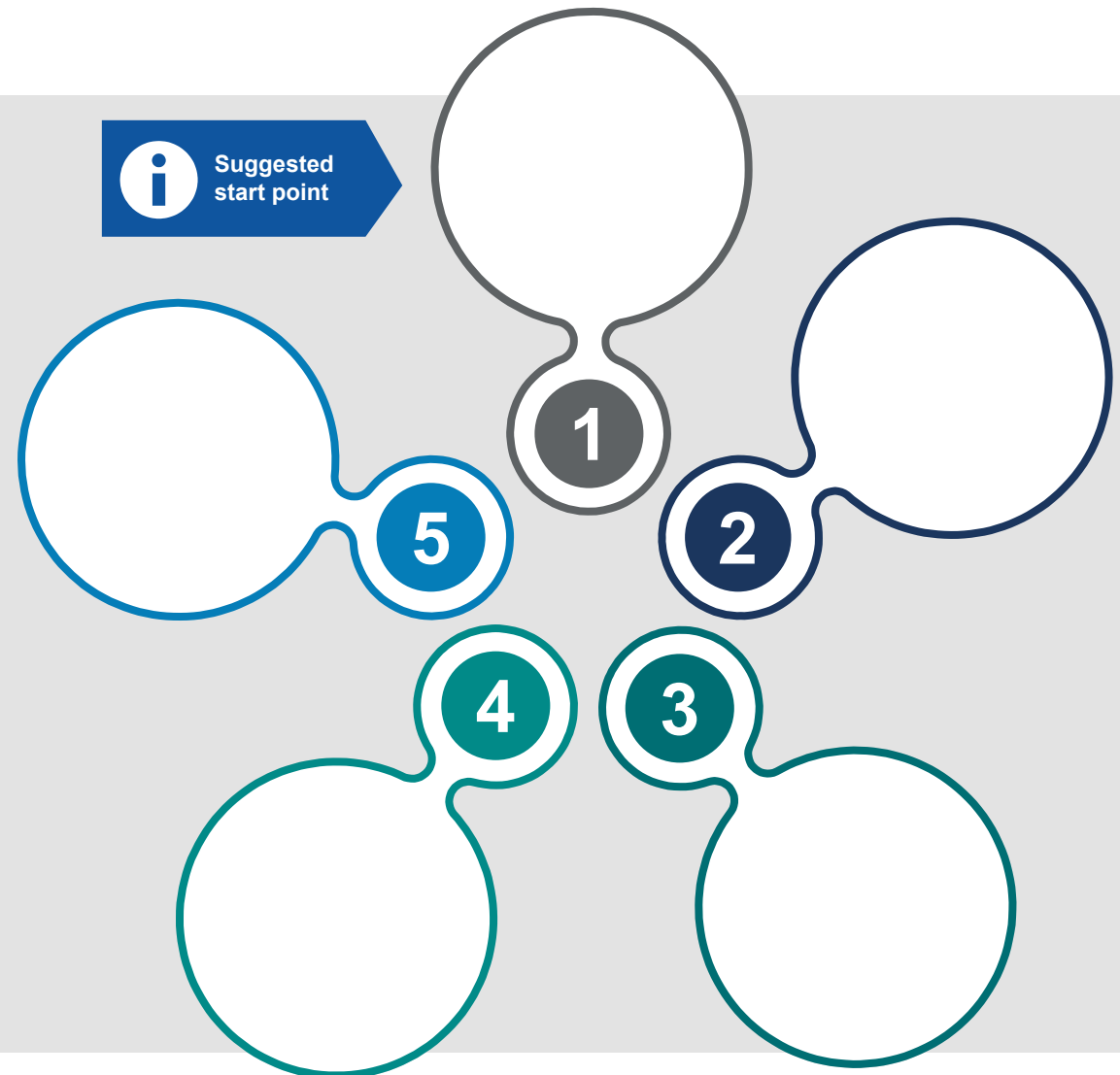
Main menu navigation

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.

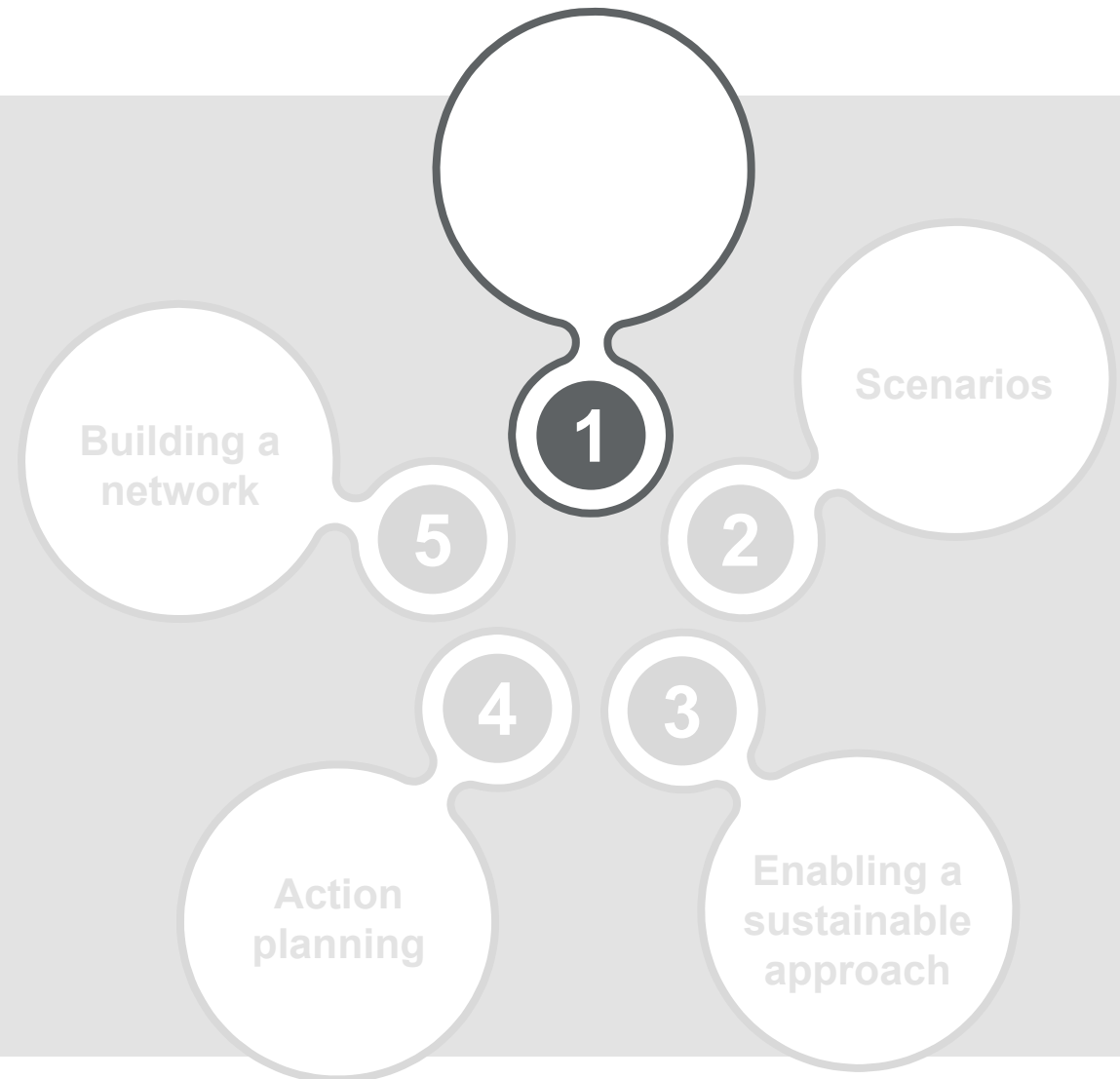


Main menu navigation

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.

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...

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

True

False

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.

True

False

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

True

False

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

True

False

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

True

False

6. Since April 2017, local authorities have been able to issue civil penalties. Please select only the statements that are true.

When you have made your selection, click the submit button.

The correct answers are...

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.

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

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.

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

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.** 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.

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

When you have made your
selection, click the submit button.

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.

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?

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.

When you have made your selection, click the submit button.

The correct answers are...

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.

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

When you have made your selection, click the submit button.

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

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.

When you have made your selection, click the submit button.

The correct answers are...

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.

a. Licensing schemes

b. Triaging issues to relevant departments

c. Street surveys

d. Multi-agency working

e. Responding to complaints from residents

14. In relation to improvement notices and hazard awareness notices, please select only the statements that are true.

When you have made your selection, click the submit button.

The correct answer is...

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.

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?

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

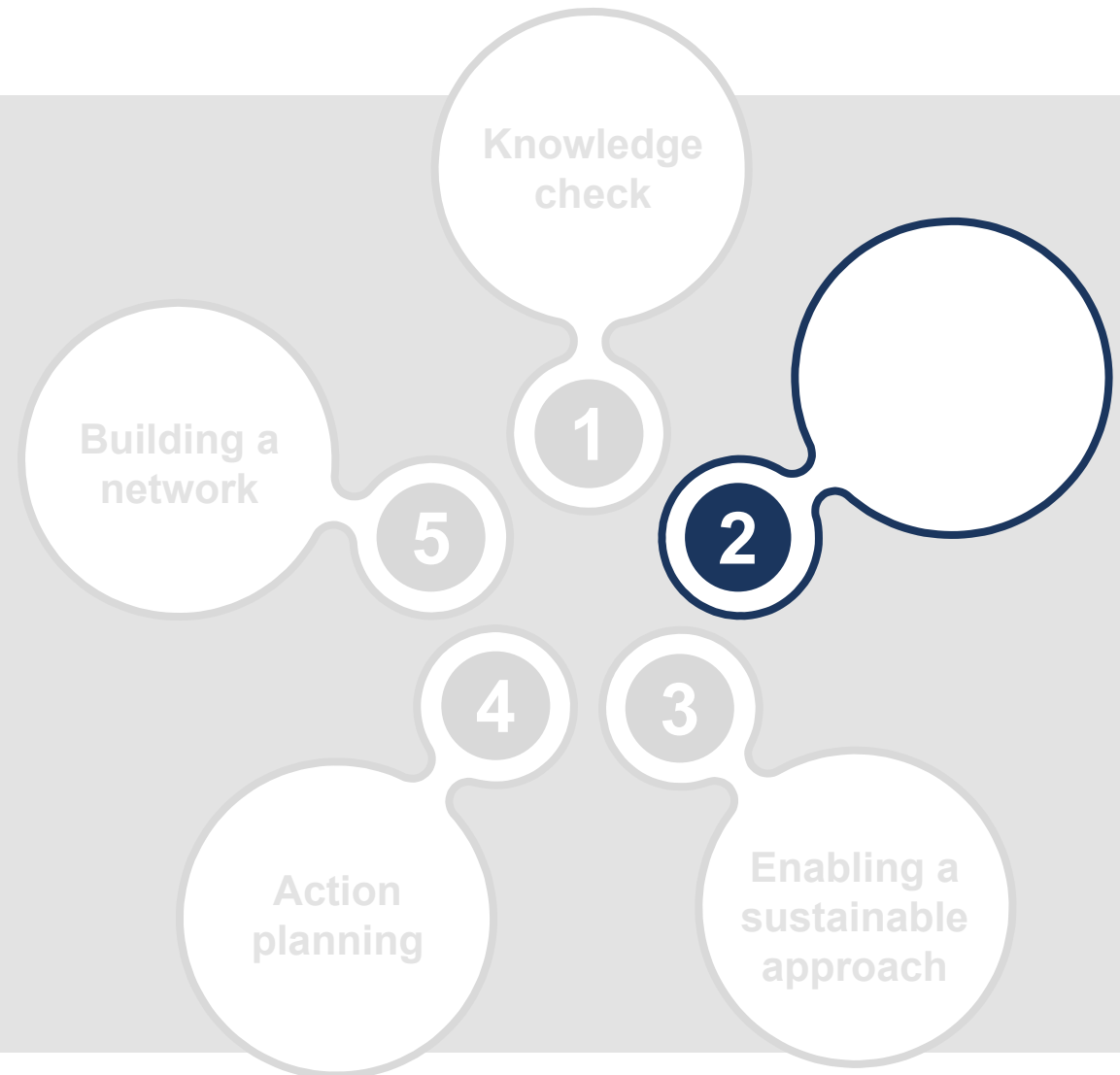


Thank you for completing the knowledge check.
For any topics you have noted down to review, please refer to the guidance document for clarification. It may also be useful to discuss the topic area with your colleagues.

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.



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.

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

Uncooperative landlords

Click on the buttons to the left to return to any section of the scenario



HMO

Click on the buttons to the left to return to any section of the scenario



Office block conversion

Click on the buttons to the left to return to any section of the scenario



Property guardians

Click on the buttons to the left to return to any section of the scenario

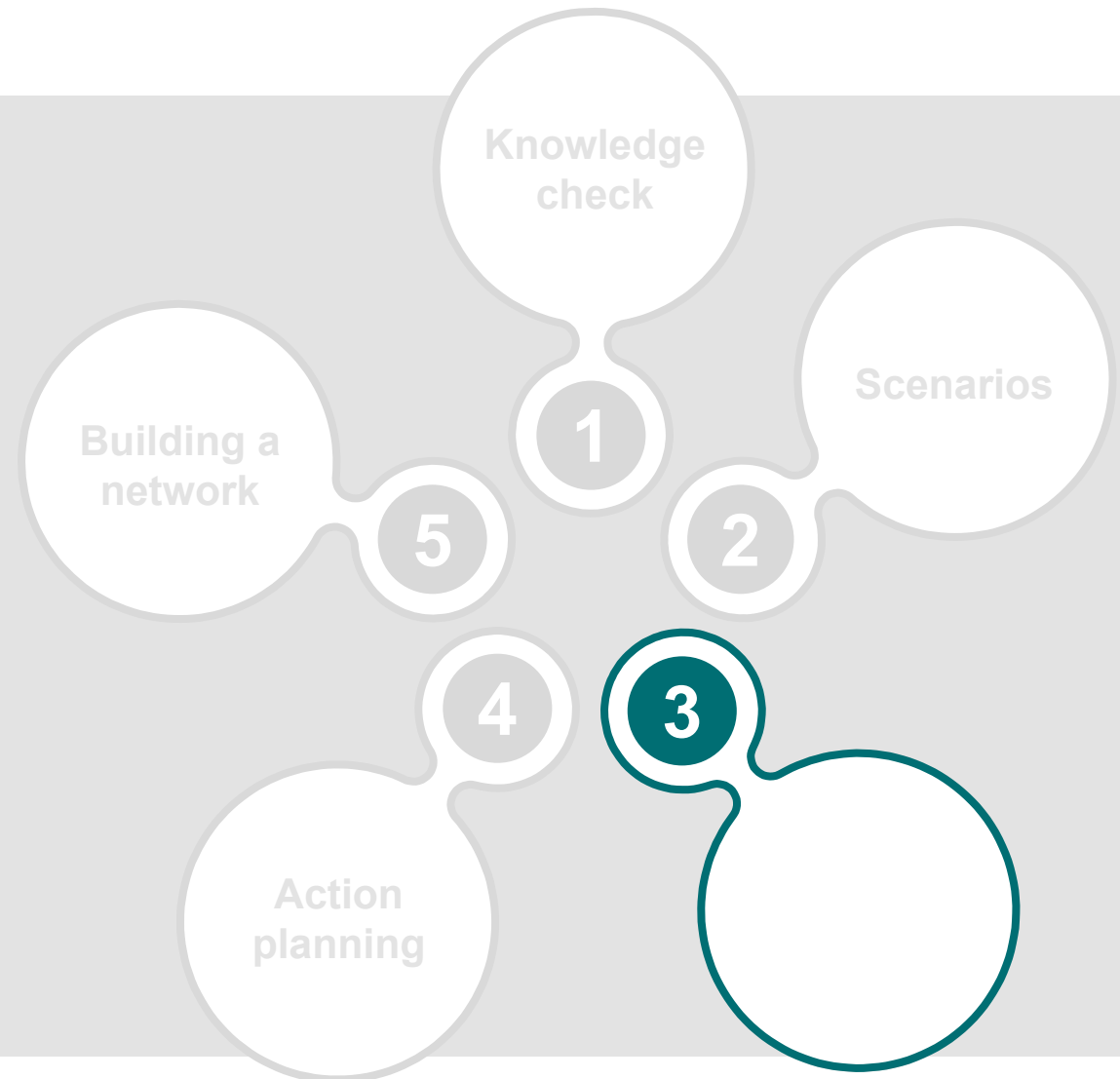


3. Enabling a sustainable approach

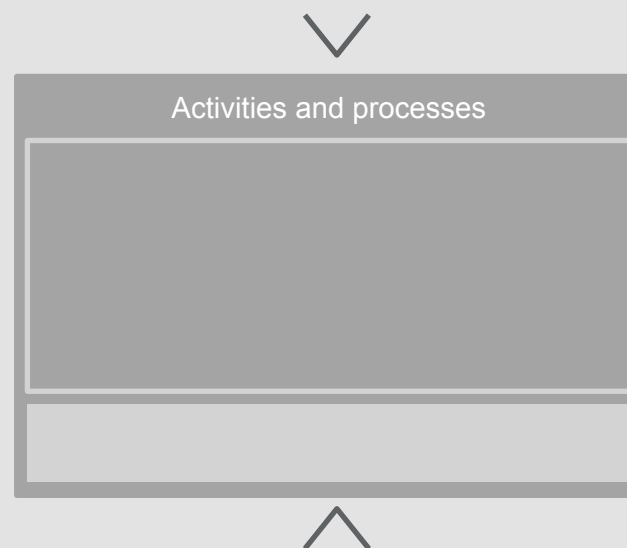
This section invites you to consider how the main building blocks of a successful enforcement service work together in principle.

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



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?

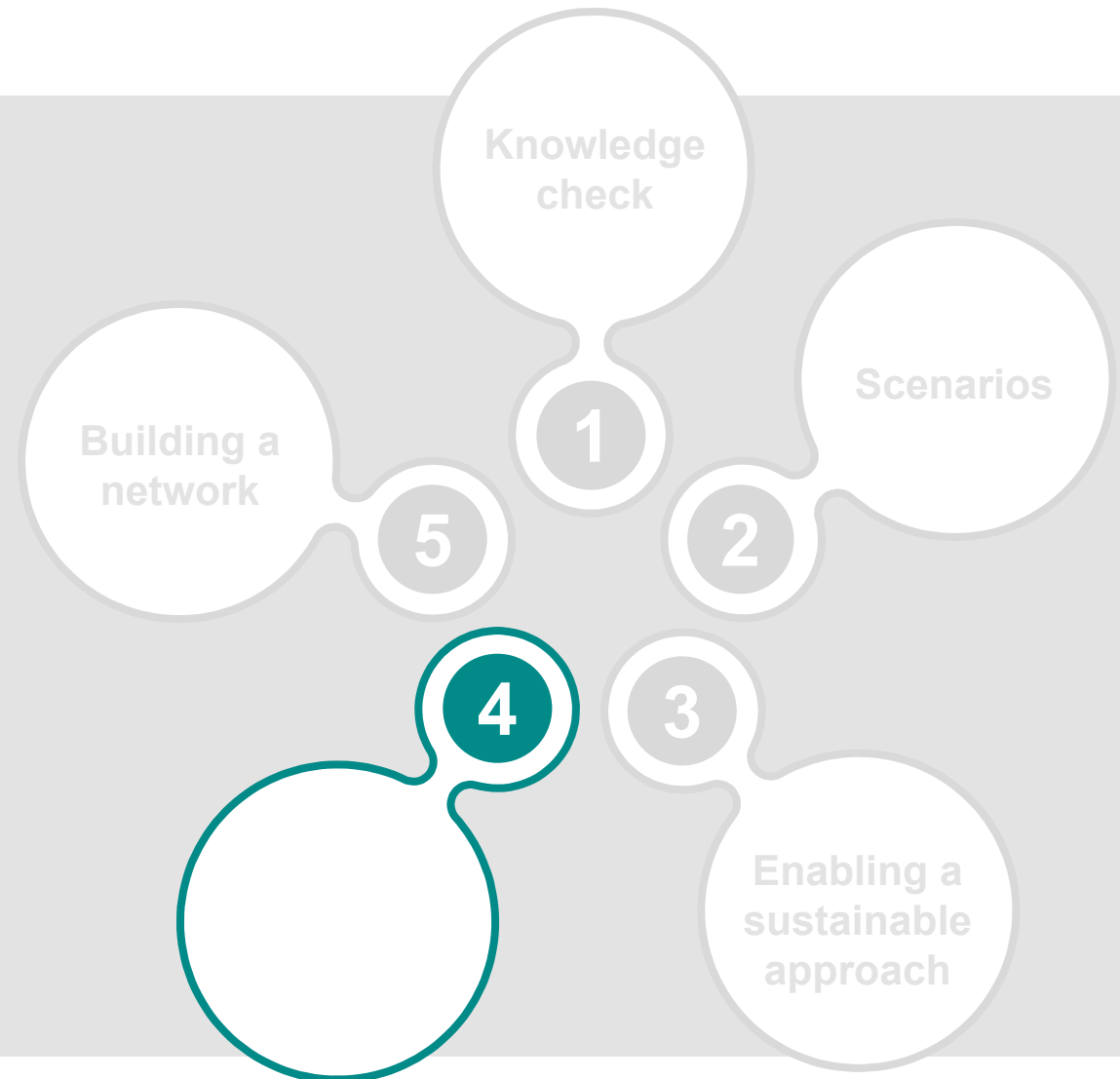
Clearly, each local authority will prioritise investments in some principles over others to reflect its own specific context. The nature and extent to which these key principles are applied will be determined by local need and resources.

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.



A few points to consider first...

Instructions

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

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.

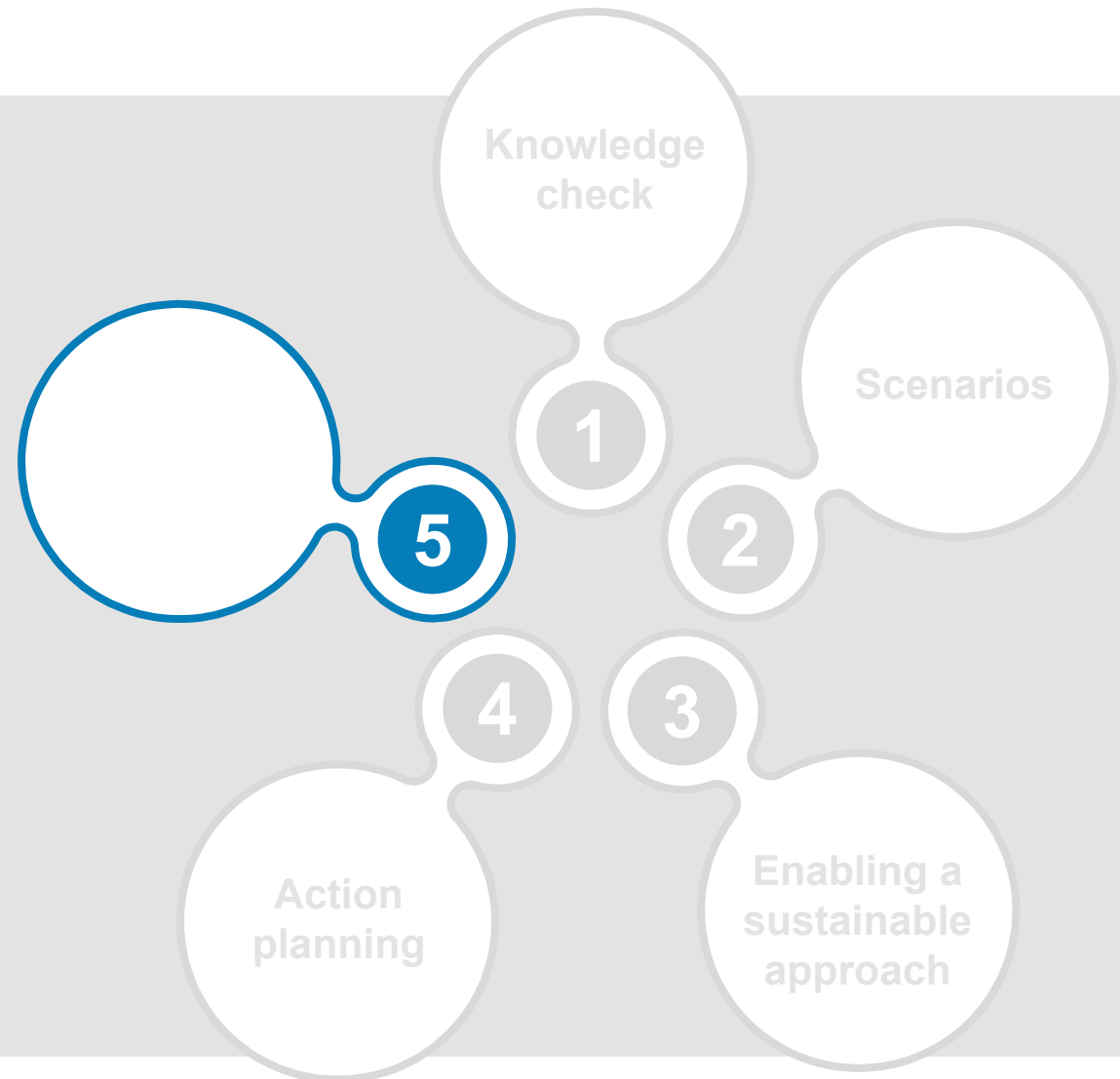
Also, as you put your plan into action, you may well encounter circumstances and issues that were unforeseen when you created it. It is important to iterate your plan regularly as unforeseen elements emerge. How will these alter your plan?

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.



5. Building a network

These organisations can provide advice and policy support:

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

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.

