

Why do we inspect homes?

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Most of our inspections are in the private rented sector. This is the area where occupiers have least control over the condition of the property they occupy.

The Housing Act 2004 gives us a duty to keep the housing conditions in the area under review with a view to identifying any action that may need to be taken by us.

If we consider that it would be appropriate for any residential premises in our area to be inspected with a view to determining whether any category 1 or 2 hazard exists on those premises, then we must arrange for such an inspection to be carried out.

What is the purpose?

The purpose is to help improve property where necessary. We prefer to do this informally by giving help and advice. Housing and tenancy law is complex and we find that many landlords are unaware of their duties and responsibilities. They are also often unaware of their rights.

The council needs a supply of good quality privately rented accommodation suitable for the needs of its citizens. To achieve this, the authority needs and values its good landlords. We have a common objective **which is** a prosperous private rented sector that provides the right housing in the right areas at the right price.

We can help landlords keep within their repairing obligations, and protect them from possible litigation in the future, by identifying potential issues. We want to help encourage a supply of good quality housing in the private rented sector.

How do we decide which properties to inspect?

We get reports about housing with potential hazards from a number of different sources. It may be a complaint from a tenant, it may be that we have been doing surveys in an area, or it may be that someone has applied to go on the housing register.

What right do we have to get access to the home?

Usually we will inspect a home with the agreement of the resident, landlord or managing agent. We prefer to let the landlord know when we are visiting so that we can go through what we find with them.

If it is important for us to inspect a property we do have a power of entry under the Housing Act 2004. In this case, unless we think certain offences have been committed, we must give at least 24 hours notice in writing.

What we do when we inspect?

Our main reason for inspecting is to assess the home under the Housing, Health and Safety Rating System (HHSRS). This is the method used by local authorities to assess housing conditions. The Housing Act 2004 Part 1 establishes the HHSRS as the current statutory assessment criterion for housing and it is based on the principle that:

- any residential premises should provide a safe and healthy environment for any potential occupier or visitor.

A hazard is any risk of harm to the health or safety of an actual or potential occupier that arises from a deficiency. The system is concerned with disease, infirmity and physical injury; it also includes mental disorder and distress.

See our leaflet on the HHSRS for details.

What do we do if we find a hazard?

Informal action

The aim of the private sector housing team is to improve the housing conditions in the private sector through advice and education. We run a landlords' forum and are always willing to answer queries and give advice to landlords. We prefer to work with landlords where possible. We recognise that it can take time to organise building works. We also recognise that the cost of works can sometimes seem very high for the amount of return.

Assistance

We offer some financial assistance to landlords in return for their agreement to continue to rent the property concerned. This is detailed in our leaflet on landlord assistance.

Enforcement

There are occasions where these methods are not successful in improving conditions and, therefore, it is necessary to consider enforcement action. We can implement a range of actions to have improvements made, the most common of which is an improvement notice. More information is available in our 'Enforcing the Housing Act 2004' leaflet.

Improvement notice

This is a legal notice giving a schedule of works to be carried out, the reason why they need doing and a timescale. This is registered as a land charge.

Offence

Failure to comply with an improvement notice without reasonable excuse is an offence. The recipient of the notice commits an offence and is liable to prosecution if he or she ignores the notice and does nothing. On summary conviction they can be fined up to level five on the standard scale. The obligation to carry out the remedial works continues despite the fact that the period for completion has expired.

Contact details

Contact Wiltshire Council Customer Services on **0300 456 0100** and ask for Private Sector Housing.