PRIVATE SECTOR HOUSING

HOUSING HEALTH AND SAFETY RATING SYSTEM

A GUIDE FOR LANDLORDS AND AGENTS

Medway COUNCIL

Serving You

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INTRODUCTION

What is the Rating System?

The Housing Health & Safety Rating System (HHSRS or the Rating System) is the new way of assessing housing conditions. It is contained in Part 1 of the Housing Act 2004 and applies to all residential properties in England & Wales, irrespective of their ownership or occupation. It is a risk assessment tool, which identifies the main hazards in the home and provides a way for local authorities or other agencies to assess the severity of those hazards.

The principle of the rating system is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. All properties contain hazards; it is not possible to remove all the hazards found in a dwelling. The aim of the rating system is to help identify serious hazards to health and safety of occupiers and visitors.

The Rating System looks at the 29 separate hazards associated with the home and the effects that each may have on the health and safety of the current or future occupant and visitors.

What is a Hazard?

To understand the Rating System you need to understand the terms used.

Deficiency – a failing of some kind – when an element does not come up to an acceptable standard for whatever reason or is not present. E.g.; no toilet in a property or a roof with slates missing.

Harm – this is a physical or mental effect, like an illness, condition, symptom or injury to a persons' health.

Hazard – the danger that can happen as the result of a deficiency in the place, which could cause harm

How will the Rating System be applied?

A visit can be instigated in a number of ways including by a tenant who feels that the property is in a state of disrepair or by Housing Solutions who are hoping a client can be housed there via the Homebond Scheme. Additionally, the council will be taking more proactive action to identify properties with serious hazards.

When we visit we will judge whether there are any hazards and if there are whether the hazards identified are Category 1 hazards (where we have a duty to act) or Category 2 hazards (where we may act). If the property contains a Category 1 or 2 hazard the occupant and the person in control of the property (the (Landlord or Agent) will be notified. If the property does not contain any hazards that the Council can deal with, we will give advice where appropriate.

The Rating System in rented properties

If a hazard is found in a rented property the Council may carry out the following:-

1. The person in control of the property will be informed that the property contains hazards.

2. If the person in control has responded and undertaken to carry out work at the property, the Council will ensure that the work is carried out within a reasonable time scale.

3. If the work is not carried out in a reasonable time scale, or not started at all, the Council may serve an Improvement Notice stating what works should be carried out and when they should be completed by.

4. If a hazard is found that involves imminent risk or serious harm to the health and safety of any occupiers, the Council may take emergency remedial action or prohibit occupation of the property.

Residential Property Tribunal

An owner or agent who receives an enforcement notice (apart from a Hazard Awareness Notice) can appeal to the Residential Property Tribunal, normally within 21 days of receiving the notice. The main grounds for appeal are likely to be:

- The deficiency(s) in the notice do not amount to a hazard.
- The notice has been served on the wrong person, or
- The works required in the notice are excessive and alternative works should be considered.

Appeals heard by a Residential Property Tribunal are a more informal way of considering appeals against notices. Cases are heard by each side (Landlord /Agent and Council) and parties do not need to have lawyers to represent them. The Tribunal will also usually make site visits to the property concerned. Residential Property Tribunals can allow an appeal (rule in favour of the owner), dismiss an appeal or vary the requirements of a notice or order.

THE 29 HAZARDS

HAZARD	HEALTH EFFECTS
1 **Damp and mould growth**	
Health threats due to dust mites, mould or fungal growths	*Allergies, asthma, effects of toxins from moulds; including mental and social well-being health threats associated with damp, humid and mouldy conditions.*
2. Excess cold	
Threats to health from sub-optimal indoor temperatures, a healthy indoor temperature is 21^{o}C	*Respiratory (colds, flu and pneumonia) and cardiovascular (heart attack and strokes) conditions*
3 Excess heat	
Threats to health due to excessively high indoor air temperatures	*Dehydration, strokes, cardiovascular respiratory and genitourinary disorders*
4 Asbestos (and Man Made Fibres or MMF)	
Presence of and exposure to asbestos fibres and MMF within dwelling	*Pleural disease, lung cancer and mesothelioma – Note work on asbestos should only be done by a contractor licensed by the health and safety executive*
5 Biocides	
Threats to health from chemicals used to treat timber and mould growth	*Risk from inhalation, skin contact and ingestion*
6 Carbon monoxide and fuel combustion products	
Hazards due to the presence of excess levels in the atmosphere of carbon monoxide, nitrogen dioxide or sulphur dioxide and smoke within dwelling	*Dizziness, nausea, headaches, disorientation, respiratory disorders*
7 Lead	
Health threat from lead ingestion – sources; paint, water pipes, soil, fumes from leaded petrol	*Lead poisoning, nervous disorders, blood production issues and behavioral problems in children*
8 Radiation	
Health threads due to radon gas and its daughters, primarily airborne, but also dissolved in water	*Lung cancer caused by exposure to radon gas, risk increases with dose and duration of exposure*
9 Uncombusted fuel gas	
Threat from fuel gas escaped into the atmosphere within dwelling	*Suffocation*

10 Volatile Organic Compounds (VOC's)	
Diverse group of organic chemicals that are gaseous at room temperature and found in a wide variety of materials within the home	*Allergies, irritation to the eyes, nose, skin and respiratory tract; headaches, nausea, dizziness and drowsiness*
11 Crowding and space	
Hazards associated with lack of space for living, sleeping and family life	*Psychological distress and mental health disorders, increase hygiene risk and risk of accidents*
12 Entry by intruders	
Difficulties in keeping a dwelling secure against unauthorized entry and the maintenance of defensible space	*Fear of burglary, stress and anguish caused by burglary, injuries caused by intruder*
13 Lighting	
Threats to physical and mental health associated with inadequate natural / artificial light, including psychological effects associated with the view from the dwelling through glazing	*Depression and psychological effects due to lack of natural light, eyestrain from glare or inadequate light*
14 Noise	
Threats to physical and mental health due to exposure to noise inside the dwelling or within its curtilage	*Psychological and physiological changes resulting from sleep disturbance, poor concentration, headaches and anxiety*
15 Domestic hygiene, pests and refuse	
Poor design, layout and construction resulting in the dwelling not being able to be kept clean and hygienic, inadequate and unhygienic provision for storing and disposal of household waste	*Stomach and intestinal disease, infection, asthma, allergies, food spoilage, disease from rats and birds, physical hazards*
16 Food safety	
Threats of infection from poor provision of facilities for storage, preparation and cooking of food	*Stomach and intestinal disease, diarrhea, vomiting, dehydration*
17 Personal hygiene, sanitation and drainage	
Threats of infection and threats to mental health associated with personal hygiene; including personal and clothes washing, sanitation and drainage	*Stomach and intestinal disease, skin infections and depression*

18 Water supply	
The quality and adequacy of the water supply for drinking and domestic purposes; including threats from contamination by bacteria, protozoa, parasites, viruses and chemical pollutants	*Dehydration, fatigue, headaches, dry skin, bladder, stomach, intestinal and respiratory disorders, Legionnaires' disease*
19 Falls associated with baths etc	
Falls associated with a bath, shower or similar facility	*Physical injuries, cuts, abrasions, swelling and bruising*
20 Falling on level surfaces etc	
Falls on any level surface such as floors, yards and paths, where the change in level is less than 300mm	*Physical injury, fractures, bruising, head, brain and spinal injuries*
21 Falling on stairs etc	
Falls associated with stairs, steps and ramps where the change in level is greater than 300mm – includes all internal and external stairs, steps, ramps and balustrades	*Physical injury, fractures, bruising, head, brain and spinal injuries*
22 Falling between levels	
Falls between one level and another, inside or outside a dwelling where the difference between levels is more than 300mm – from balconies, out of windows, garden retaining walls etc	*Physical injury, fractures, bruising, head, brain and spinal injuries*
23 Electrical hazards	
Hazards from shock and burns resulting from exposure to electricity, including from lightning strikes	*Shock and burns*
24 Fire	
Threats from exposure to uncontrolled fire associated smoke at a dwelling. Includes injuries from clothing catching alight.	*Burns, being overcome by smoke or gas, death*
25 Flames, hot surfaces etc	
Threats of burns and injuries caused by contact with flame or fire, hot objects or liquids. Threats of scalds and injuries caused by contact with hot liquids and vapors.	*Burns, scalds, permanent scarring, death*

26 Collision and entrapment	
Risks of injury from trapping body parts in architectural features – trapping fingers in doors, colliding with objects such as glazing, ceilings and walls	*Injuries such as broken bones, bruising, cuts from glass*
27 Explosions	
Threats from blast of an explosion, from debris generated from partial or total collapse as a result of explosion	*While likelihood is small can include, crushing, fractures, head, brain and spinal, scalding if involves water*
28 Position and operability of amenities	
Threats of physical strain associated with functional space	*Strain and sprain injuries*
29 Structural collapse and falling elements	
Threat of dwelling collapse or of a part of the fabric being displaced due to inadequate fixing or disrepair	*Physical injuries, fractures, breaks, cuts and bruising, death*

Minimizing the Risks

Some hazards are more likely to occur than others, for example injuries associated with falls are common, and some have a greater impact on health. The immediate and long term effects caused by these hazards are varied and not necessarily limited to those listed in this guide.

You can minimise the risks in your properties by following these simple guidelines.

1. Damp and mould growth

One of the main causes of damp and mould growth is condensation. Condensation occurs mainly in cold weather. It appears on cold surfaces and in places where there is little air movement. Damp can also come from leaking pipes, rain seeping through a roof, or due to rising damp. Rising and penetrating damp often leave a ‘tidemark’.

- Ensure there is adequate heating and insulation
- Install mechanical extractor fan in areas where condensation is likely such as kitchens and bathrooms
- Ensure the fabric of the building such as roof, walls and rainwater goods are in good working order
- Ensure roof and sub floor spaces adequately ventilated
- Ensure airbricks and air vents are not blocked allowing an adequate supply of air

2. Excess Cold

The main cause of excess cold is a lack of a fixed form of heating, which residents can afford to run.

Affordable heating systems include:

- Gas Central Heating
- Oil Fired Central Heating
- Gas room heaters
- Electric Storage Heaters running from off peak electricity, but only in well insulated properties
- Plug in electric fires and portable heaters are not considered a satisfactory form of affordable heating

The heating system must be able to heat the living room and bedrooms to 21°C and 18°C respectively when it is - 1°C outside. This system must be routinely maintained and serviced and controllable with at least a room thermostat.

- Loft insulation should be to min depth of 270mm.
- Windows should be in a reasonable state of repair to prevent draughts. Windows made of metal or louvre style openings are likely to be draughty and /or cause excessive heat loss.

3. Excess Heat

- There should be adequate thermal insulation and ventilation – particularly to attic dwellings
- There should be suitable orientation – no large areas of south facing windows
- The heating controls should be in good working order

4. Asbestos (and Man Made Fibres or MMF)

This is unlikely to be a hazard in pre 1920's houses – if found a specialist opinion should be sought.

5. Biocides

The use of biocides should be in accordance with the manufacturers instructions.

6. Carbon monoxide & fuel combustion products

All gas appliances in privately rented properties must have a gas safety record showing the appliance is safe to use. This must be renewed on a yearly basis and any recommendations made on the record must be followed. All appliances and flues must be in good condition.

7. Lead

There should be no lead pipework present in the dwelling and old and flaking paintwork should be removed, as there is a possibility of lead being present.

8. Radiation

There is no known problem in the Medway area.

9. Uncombusted fuel gas

- All gas supplies and appliances must be supplied and maintained by an authorized Gas safe registered supplier and installer
- All gas appliances should be regularly maintained and serviced.

10. Volatile Organic Compounds (VOC's)

This is not generally a problem except during construction and renovation.
If present ensure adequate ventilation.

11. Crowding and space

- The layout of bedrooms should have regard to ceiling height, natural light and ventilation
- Indoor and outdoor play areas should be provided for children and must be visible from within the dwelling
- Suitable and sufficient sanitary provision with privacy must be made
- A child over the age of ten would not be expected to share a bedroom with another of a differing sex
- A separate bedroom should be allocated to each married or co-habiting couple, adult aged 21 or over, pair of adolescent's aged 10-20 of the same sex and pair of children under 10 regardless of sex. Bear in mind these standards may differ from housing benefit and local housing allowance regulations
- A living room should only be used as a bedroom if there is additional sufficient living space. Regard must be made of the need for space to eat, relax and do homework in comfort

12. Entry by intruders

- All doors and windows must be fitted with suitable locks.
- Boundary walls, fences and gates should be in good condition.

13. Lighting

All habitable rooms must have suitable and sufficient natural and artificial lighting.

14. Noise

- There should be suitable sound proofing between floors in converted flats and attic rooms
- Windows and doors must be in good repair with no gaps to ensure sound proofing
- Plumbing and other amenities should be sited to prevent nuisance

15. Domestic hygiene, pests and refuse

- The layout of the property should facilitate easy cleaning
- The property must be free from pests with no missing vents or holes in the walls
- There must be sufficient room for storage of refuse

16. Food safety

- There should be suitable and sufficient food storage facilities, which are in a good, easily cleaned condition.
- There must be a kitchen sink with drainer, hot and cold water, which is easily cleaned and not leaking.
- There should be adequate easily cleaned work surfaces that are suitably located.
- There must be a minimum of three double sockets above the worktop and sockets suitably located with some above and some below the worktops.

17. Personal hygiene, sanitation and drainage

- The property must have a bathroom and kitchen with fully working facilities and hot and cold water supplies
- There must be suitable surface water drainage and a drainage system for foul waste with no leaks or blockages
- Ideally there should be external clothes drying facilities available

18. Water supply

There should be no problems where a mains water supply is provided.

19. Falls associated with baths etc

- Baths and showers must be stable and securely fitted with adequate handles and grab rails
- The layout of the bathroom should allow for easy use
- The flooring should be non-slip and in a good easily cleaned condition

20. Falling on level surfaces etc

- Internal and external floors, yards and paths should be stable and securely fitted with no unmarked steps or gaps
- Appropriate surface water drainage is required to external yards and paths
- There should be adequate lighting provided to prevent falls

21. Falling on stairs etc

- Steps on stairs should be of an even height with no variation
- Lighting should be provided at the top and bottom of stairs including cellars
- A handrail must be provided for the full length of the stairs, including cellars and gardens. Ideally this will be able to be fully gripped by the occupiers and support their weight. The handrail height should be between 900mm and 1000mm measured from the top of the handrail from the pitch line or floor. The chosen height should be maintained for the total length of the handrail.
- Handrails should be provided for exterior steps where there are more than six steps or the steps are steep
- Guarding or balustrades must be provided to landings and stairs including gardens. The guarding should be a minimum of 1000mm in height and should be non-climbable, the spindles not be more the 100mm apart to prevent small children from falling through. In ranch style balustrades there must be gaps of no more than 100mm
- Stairs must be in good condition with no gaps between the treads of more than 100mm and with a non slip covering to treads

22. Falling between levels

- Windows with sills below 1100mm should have restrictors fitted so they can only open 100mm
- Guarding must be provided where there is a considerable difference in height between levels, such as terraced gardens. The guarding should be a minimum of 1000mm in height and should be non-climbable, the spindles not be more the 100mm apart to prevent small children from falling through

23. Electrical hazards

- Electrical repairs must be carried out by competent persons –in compliance with the Building Regulations
- The installation should be inspected periodically by a competent electrician and a report provided certifying there are no dangerous defects
- Any smoke detection system should be inspected periodically by a competent electrician
- Sufficient electrical sockets outlets should be provided to prevent overloading and the use of trailing extension cables. The following number of double sockets should be provided

- 4 sockets in the kitchen
- 2 sockets in the bedroom
- 3 sockets in the living room
- 1 socket in the hallway and landing(s)

- There should be no exposed wires, broken sockets, fittings or light switches
- Sockets should be sited at least 300mm from a source of heat or water and be easy to reach without leaning over any heat source

24. Fire

- As well as smoke alarms the property should have sufficient lighting to escape routes and a suitable escape window from habitable rooms above or below ground floor level
- The property should limit the chances of carelessness causing a fire; limit the spread of fire and provide a safe and ready means of escape
- Cookers should be in an appropriate position away from any flammable materials such as curtains and not be near doorways providing means of escape

The recommendations for the provision of smoke alarms below has been taken from the Lacors Guidance see www.lacors.gov.uk

- For a single family dwelling on two floors there must be a minimum of two battery powered smoke alarms, one close to the bottom of the stairs and one on the landing. Ideally an interlinked mains wired smoke alarm with integral battery back up located in the escape route, with additional battery back up alarm provided to any cellars and loft rooms
- For a house converted into self contained flats the minimum requirement is a mixed system comprising interlinked hard wired Grade D LD2 coverage in common areas and a heat detector in each flat in the room opening onto the escape route, plus Grade D LD3 (non interlinked) coverage in each flat in the room opening onto the escape route
- Houses in multiple occupation have strict regulations. Please consult with Private Sector Housing for more information
- Self contained flats in any type of building should have a minimum 30 minute fire door to the entrance of the flat

25. Flames, hot surfaces etc

- Ideally there should be at least 300mm of worktop provided to either side of a cooker or hob. Cookers should be sited away from flammable materials and not at the end of a run or in a corner
- Hot pipes that can be reached by children should be covered.

26. Collision and entrapment

- Self closing mechanisms on doors should not be over powerful
- Doors and windows with glazing below 1100mm should be glazed with safety or laminated glass
- Low headroom to ceilings or doorways should be highlighted to avoid accidents

27. Explosions

All gas installations and storage must be well maintained by authorized contractors and suppliers.

28. Position and operability of amenities

The layout of the property, in particular the kitchen and bathroom should be such as to make use convenient and easy.

29. Structural collapse and falling elements

- All elements of the structure should be properly maintained to ensure they are safe and stable
- There should be no; cracks or bulging walls, open joints, loose render or cladding, roof movement, loose roof covering, loose rainwater goods or cracked internal walls or ceilings

INSPECTIONS FOR HOMEBOND

When a property is inspected for a Homebond it will be undertaken using the *HHSRS* as guidance. We hope that by inspecting properties before allowing tenants to take up occupation it will lessen the number of complaints made at a later date. This is because it will have highlighted any potential risks and given the landlord a chance to put them right.

If a landlord is accredited it will be assumed the landlord has an understanding of what is needed and the property is up to standard so will not need to be inspected. If the landlord is not accredited an inspection will be booked with the Private Sector Outreach Officer, Joy Potter, who will check the property for hazards and report back to the landlord or agent regarding any issues.

If any potential category one hazards are found, they will be passed on to the Private Sector Housing complaints team to complete a full HHSRS report on the property. Even if the landlord decides not to go ahead with the potential tenant, Private Sector Housing will need to ensure the property is bought up to the appropriate standards.

If the property is free from potential category one hazards but does have some minor hazards which can be overcome, the landlord will be informed and given a timescale in which to get the works completed. Serious hazards will prevent a homebond being issued until the works are completed.

If there are minor hazards and the landlord agrees to complete the works required, the Homebond will be issued and a schedule of works will be compiled and signed off by the visiting officer at the homebond sign up, unless a longer timescale has been given. Major works such as new windows, will be diarised for inspection in due course to check the works comply with current standards.

Energy Efficiency

An energy efficient house is more comfortable to live in and costs less money to run.

Energy saving tips:
Lag the hot water tanks and hot water pipes
Use energy saving light bulbs, which last longer and use less electricity
Have at least 270mm of loft insulation
Draught proof external doors and windows
When the boiler needs replacing choose an energy efficient one
When the windows need replacing choose double glazing
Replace old storage heaters with the modern energy efficient ones
For more information on Energy Efficiency measures, grants and discounts contact the Energy Savings Trust on 0800 512 012.

Heating and Insulation

Coldbusters is a local authority scheme administered by the Energy Saving Trust. The scheme offers grants up to £5,000 for loft insulation, cavity wall insulation, gas, electric or oil central heating, replacement boilers, and draught proofing.

The Warm Front scheme, funded by central government, offers grants of up to £3,500 for loft insulation, cavity wall insulation, gas, electric or oil central heating systems, replacement boilers, draught proofing and hot water tank jackets.

Empty Property Grants

The applicant must be either a freeholder or leaseholder with at least five years on the lease unexpired. The maximum loan available is £15,000 per property, or if the property consists of, or is to be converted into, a number of units, consideration will be given to awarding a higher level of assistance based on £10,000 per unit to a maximum of £45,000. The decision to award a higher level of assistance will take into consideration the demand for empty property improvement loans. Loan assistance will not be made available to applicants who intend to reside in the property on completion of the works.

The criteria are as follows:

- The property must have been empty for a minimum of six months. This will be confirmed through Medway's Council Tax section.
- The applicant must agree that rent charged will not exceed the Local Housing Allowance determined for prospective tenants.
- All loans approved will be repayable five years from the date of approval of the loan, or on sale of the property, whichever is the sooner.
- Where a redundant commercial property is being converted into residential units, planning permission, building control approval and, where necessary, listed building consent, must have already been given.
- There will be an additional cost of £150 to pay, which will cover administration and legal costs for adding a charge to the property with Land Registry.

GLOSSARY

Coldbusters
A scheme that provides energy efficiency grants to help people in private sector housing to install energy efficient heating and insulation into their homes
www.cen.org.uk/energy_efficiency/coldbusters.asp

CP12 – Landlords Gas Safety Record
Gas safety certificates are issued by Gas Safe registered engineers to confirm that gas appliances are working safely. All gas appliances owned by the landlord need to be checked every twelve months.

Decent homes Standards
A target set by government for all social housing providers to meet set standards of decency and design for their homes by 2010
www.decenthomesstandard.co.uk/index.php

Energy Savings Trust
A not for profit organisation that offers advice on ways to be energy efficient
www.energysavingstrust.org.uk

Emergency Repairs
A repair that unless completed would pose a threat to people's health and safety, or serious structural damage to a property or buildings surrounding it.

HMO - Houses in Multiple Occupation
Properties that are shared by people who are not related or cohabiting
www.communities.gov.uk/housing/rentingandletting/privaterenting/housesmultiple

Housing Benefit
A sum of money paid to people on low incomes to help them with their rent payments in private or social rented hosuing. Entitlement is based on such things as income, age, size age and sex of family, disability etc.
www.medway/gov/uk/index/housing/housebenefit.htm

Housing Act 2004
An Act passed by Parliament to make provision about housing conditions; to regulate houses in multiple occupation and certain other residential accommodation.
www.communities.gov.uk/archived/general-content/housing/housingact2004

Housing Health and Safety Rating System
A risk assessment procedure that is used to determine any health and safety risks to occupiers of residential properties in England and Wales
www.communities.gov.uk/housing/rentingandletting/housinghealth

Housing Solutions
The Medway Council service that provides support and advice in regards to housing, including; Information, Options, Homelessness and Temporary Accommodation

Local Housing Allowance
An allowance given to private renting tenants on a low income. Entitlement is based on such things as income, age, size age and sex of family, disability etc.

Landlord
A person or organisation that owns a building and rents it to another person

Landlord Forum
A forum in which such parties as private landlords and Private Sector Services gather to discuss issues relevant to landlords and the letting of properties

LESA – Landlords Energy Saving Allowance
A tax allowance for landlords that have made energy efficiency improvements to their property
www.direct.gov.uk/en/HomeAndcommunity/BuyuingandSellingYourHome/LettingYourHome/DG

Private Sector Housing Team
The Medway Council Services that provides support and advice in regard to the private sector including; landlords, tenants, homeowners and support services

Tenant
A person or persons that sign a tenancy agreement in order to occupy a property that is owned by someone else in exchange for payment of rent

Contact Numbers

Medway Council	01634 333066
Building Surveying	01634-331133
Council Tax	01634 332222
Housing Benefits	01634 332222
Benefit enquiry line	0800 882200
Planning Enquiries	01634 331701
Refuse & Recycling	01634-331262
Occupational Therapy Service	01634-333333
Private sector outreach officer	01634 333580
Housing advice and information	01634 333600
Shelter	08445 151741
Citizens Advice Bureau	01634 380044
EAGA Ltd	08003 162808
Empty Homes Agency	0207 827 6288
Energy Savings Trust	0800 512012
Kent Energy Centre	0800 5120012
National Landlord Association	0207 8408900

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