White Paper on securing a path towards adequate housing, including fair rents and affordability

Consultation Response Form

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Consultation Questions

Q13. Do you think license holders should be required to complete an Annual Property Condition Record?

We support the proposal to explore introducing a requirement for landlords to confirm annually that the property has a valid Gas Safety Certificate and Electrical Inspection Condition Report and operational detection systems but are unconvinced about the value of self-declaration "that none of the 29 matters or circumstances listed in the Schedule to the Fitness for Human Habitation Regulations are present in the property". Firstly, a penalty would be needed for declarations that are false or misleading. Such a penalty, however, could be imposed only if the landlord had knowingly or recklessly made such a declaration. This would be hard for a local authority to prove. Secondly, most landlords and letting agents are not qualified Housing Health and Safety Rating System (HHSRS) assessors. They may therefore consider their property to be safe when category one hazards or significant category two hazards are present. Any self-declaration would need to be against a clearly prescribed standard. (The new 'indicative baselines' that have been developed for the revised HHSRS might provide one.)

Declarations would be likely to be effective at ensuring property conditions were maintained or improved only if they were monitored through some form of inspection scheme. We would have concerns about options which involve privatisation of inspection schemes and rely on inspectors appointed by landlords to declare property condition. This implies, however, that resources should be made available to local authorities to verify property condition.