

Rent Repayment Orders and the importance of evidence: the Islington experience

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In December 2016 Islington's residential environmental health team achieved its first ever Rent Repayment Order (RRO), recovering £39,022 of housing benefit that had been paid to a non-compliant landlord. The success of this case in part at least is down to other local authorities' willingness to share good practice, most notably from Newham and Camden.

The landlord in question was successfully prosecuted in August 2016 and fined £12,700 for operating an HMO without a licence. The HMO presented significant risks to the occupiers' health, wellbeing and safety. There were other aggravating factors such as overcrowding, poor management and very unsatisfactory means of escapes in case of fire. Some of the rooms measured 5.7 square meters and had no kitchen facilities.

We felt that both prosecuting for not having a licence and applying for a rent repayment order were in the public interest and pursued these through the court and first tier tribunal. The case and large fine awarded achieved national coverage. It was featured on the twitter feeds of Inside Housing and one of the national landlords' associations and also on BBC Radio 4 You and Yours.

The new Housing and Planning Act 2016 widens the scope for grounds for RROs and local authorities will be able to keep the receipts. Also coming are civil penalty notices for breaches of the Housing Act, with authorities able to set fines and keep receipts. New enforcement powers will be welcome to reduce hazards, prevent harm and reduce health inequalities in the private rented sector and achieve additional revenue.

This is a further incentive to publish data online on meaningful health outcomes and not just enforcement activity and how money recovered has been reinvested. And local authorities are likely to be under increasing scrutiny about this income and expenditure relating to enforcement.

We know from a survey carried out last year by past CIEH president, Stephen Battersby, and Karen Buck MP that housing enforcement is patchy. Will these new powers serve as driver

for investment in enforcement, professionalising landlords, increasing compliance and reducing harm? Hopefully, they will be useful in raising awareness and buy in of our private rented housing strategies. It's clear that we need more advocates and to work more effectively with our partners, DCLG, our own public health teams and Public Health England

A recent example of successful collaborative partnership working that doesn't require significant investment is the predicative analytical work of the London Office of Data Analytics, which replicates a data sharing and analysis model from New York. Located within the Greater London Authority the office is working with several London boroughs on a pilot project to help identify unlicensed HMOs using internal council data. Lambeth and Westminster are playing a key role in developing this methodology which has already been successfully used in Newham.

Maybe in the future this practice of predicative analytics will be normal by all councils for all disciplines of environment health. Within the CIEH membership we are all champions of prevention, so let's keep adapting, evolving the way we do things, challenging convention and spreading the word on how we did it.

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