



Elmhurst Energy's response to:

IMPROVING THE ENERGY PERFORMANCE OF PRIVATELY RENTED HOMES IN ENGLAND & WALES

Prepared for: BEIS



Date: 07/01/2021

1. Introduction

Elmhurst Energy is pleased that BEIS is seeking a consultation on Improving the Energy Performance of Privately Rented Homes in E&W and as such we are delighted to respond to each question in turn.

Elmhurst has provided an overview of the issues and our proposals, then responded to all the questions on which we have sufficient experience to comment.

2. Elmhurst's Response

The principals which influence our responses are:

- To assist the MHCLG to consider all aspects of the impact of changes to legislation on the private rented sector taking into account ways in which the national housing stock can be improved in respect of energy efficiency, whilst considering fuel poverty, energy costs and the need to reduce carbon emissions.
- A fifth of the UK population now lives in privately rented accommodation.* Robust enforcement of the Private Rented Sector Regulations in general and the Exemptions Register in particular is as timely for review.

Headlines:

- We support the move to C rated homes
- We support the addition of a carbon metric to be used, using medium term plans to ensure good outcomes for landlords and tenants
- We advocate for a fabric first, whole house approach using PAS2035 principals
- We call for adequate funding and resourcing for compliance and enforcement
- We call for independent competency scheme to apply for exemptions (not self-declared)



3. Questions and Answers

1. We would welcome views on possible impacts of the policy on the size of the PRS sector, the effect this could have on vulnerable households, and suggestions to mitigate this effect where it does occur, including any evidence.

The size of the PRS sector, currently believed to be in the region of just over 5 million homes (4.8 m in England and 210k in Wales) and we believe that if the legislation is planned and well managed it will not damage this important sector. All stakeholders will need ready access to clear, easily understood information relating to what is required, when it is required, incentives to comply, and robust enforcement (for which ring-fenced funding might be considered). Penalties for those who do not comply should be at a level sufficient to create a real deterrent and scaled to the energy wasted and impact on the tenant during that time.

2. Do you foresee any impacts for protected groups? Please provide evidence to support your answer.

The poorer the household, the smaller the choice of available properties. Landlords who have spent money on improving dwellings may expect to implement an increase in rents in order to see a return on their investments.

If not managed well then current landlords may choose to sell rather than improve the property to meet the new legislation but, as the property is now unrentable, it may not be possible to attract a "buy to let" landlord because of the difficulties they will have getting a mortgage. The loss of such homes to the owner occupied sector may displace tenants and the lack of supply may increase rents. This impact may have a disproportionate impact not only for those on low incomes but also those with disabilities, because their supply is already limited.

However further to our answer to question one, giving Landlords clear guidance, with appropriate incentives to those who comply will mitigate this sector. Many observers thought that introducing these original measures would shrink the market, but the numbers of PRS continued to rise. If the government is clear that all homes should be C rated, where it is practical, cost effective and affordable, with correctly policed exemptions then there will not be a problem. After all, the homes that are extremely poor in terms of energy efficiency and can be improved in a cost effective way will be!



We would welcome views on any possible long-term impacts of COVID-19 that could impact on making the required energy efficiency improvements from April 2025 and suggestions to mitigate this effect where it does occur, including any evidence.

Energy Assessments can be undertaken in a COVID secure way, indeed sensible guidance to our 7,000 members has allowed them to continue to create assessments and thereby EPCs. Some suggested during the pandemic that recommendations and improvements can be done remotely, it is always our opinion that this is fraught with danger; it always needs professional independent eyes on the property to be able to correctly assess the home in the first place.

The ability to create the right measures for the right homes to meet targets needs to start with facts. This is what the energy assessment delivers, and can be delivered in a COVID secure way. From this starting position good decisions can be made for the right energy efficient measures to be placed in the home.

Chapter 1

4. Do you agree with the government's preferred new target of EER C as a minimum energy performance standard in the PRS?

Elmhurst agrees with this target. If the scheme is managed well in relation to the PRS it will provide a valuable template for introduction to the owner-occupier sector. It also fits into the Government's Clean Growth Strategy and commitments for UN climate change.

5. We would welcome your views on the pros and cons of these alternative metrics, in relation to our overall policy goals around reducing carbon emissions, fuel poverty, and energy bills; please provide evidence with your answer.

The subjects should be integrated when considering your overall policy goals. For example, you might introduce measures to bring down carbon emissions, but if this is at the cost of an increase in energy bills the householder will not perceive a benefit. Details relating to the energy performance of the dwelling based on the building's fabric, the way in which the dwelling is occupied and the resulting energy use should all be considered in how best to reduce carbon emissions as well as keeping costs low.

Elmhurst has for many years lobbied for improvement to the EPC and the good news is that the new '.GOV' register has removed the previous version of the EPC for a more dynamic and informative set of information about the home. We would advocate that all the metrics that are calculated should be displayed. Thereby giving equal prominence to the cost (EER rating) the carbon (EIR) and also the energy used (kWh). If these were displayed then government policy can choose which one(s) it would like to use to drive behaviour.

There are parallels here with the food industry who have managed to create a straightforward system out of something that is equally context specific, "healthy food". The four roundels that appear on food labelling are green, amber and red can be used to demonstrate the healthiness of food against scales of sugar, salt, fat and saturates allowing consumers to focus on what is important to them. The EPC could have similar roundels showing energy, cost and carbon.



The new alternatives proposed in the consultation are interesting; our thoughts on each are below:

Final Energy Rating (FER) - this is a new one for us, we assume you mean the 'metered' energy used by the building. We would advocate that this is good data, but that it includes all unregulated energy as well, and on its own wouldn't suggest what is wrong or right about the fabric, the technology (heating/hot water/lighting) or indeed the occupants are running the home.

Heat Transfer Coefficient (HTC) – effectively this is the heat loss through the fabric of the building, which in our opinion is a great way to firstly measure this and attempt to ensure that we have a fabric-first approach to energy efficiency.

Primary Energy Rating – which effectively adds on the energy from the 'source' and 'delivery' to the home on top of the energy demand from the home itself, is a requirement of EPBD, and is another way at looking at the energy efficiency of a home but is probably confusing to most home owners and should may be treated as second tier information used by experts and to drive policy.

As you can see, we think that all these metrics are good. We therefore make the following suggestion to Government:

1. Asset Ratings – we must assess the property first to measure the predicted energy use of the asset in a standardised way (using the national calculation methodologies)
2. Operational Ratings – we must then build upon the asset and take into account the people who may use the home in a different way (number of inhabitants, times and temperatures etc.) (Using the appendix within the national calculation methodology!), this will refine the predicted energy use of the asset for the present occupants.
3. Measured Data – we must then use the actual energy used to find out if the home is on target or not.

With data from these three sources we can manage all the energy efficiency of all the homes in the UK. We would advocate that we build upon PAS2035 which requires these. If we, as some would suggest, just move to measured data the first question people will ask is 'how we improve the asset to use less energy?' The data will not provide the answer. For over 10 years EPCs have been criticised as "the figures do not reflect my fuel bill!" which is correct, they are not intended or designed to do so. We need now to move to the three methods outlined above. The good news is that they all exist, and that retrofit assessors can indeed provide the first two through the PAS2035 process. The evaluation part of the PAS has been underwhelming in its delivery, so strengthen this and build it into the process and we will solve this problem or lack of information.

The Heat Transfer Co-efficient and the Primary Energy Rate should also be displayed on an EPC so that stakeholders can use it to drive behaviour and/or policy.

As a final point we as an organisation with direct access to feedback from tenants, landlords and property professionals we are aware that the impact of high running costs are tantamount in tenants' minds. In the vast majority of cases, this is given priority over any consideration for carbon reductions.

6. Do you agree with the government's preferred policy scenario of requiring 'new tenancies' to reach EER C from 1 April 2025 and 'all tenancies' to reach EER C by 1 April 2028? If not, do you have alternative suggestions; please provide evidence with your answer.

Elmhurst is in agreement with this policy providing assistance is given to all stakeholders to:

- Understand what is required and when
- Understand how to achieve what is required
- Financial incentives are in place to both reduce carbon emissions AND keep utility bills affordable.

It would be fair to say there is little understanding of the current process of domestic energy assessment. Elmhurst has experience from active Domestic Energy Assessors that many landlords have changed heating systems - often installing electric heating – without any understanding that the increased costs of running appliances via on-peak electricity will decrease the SAP score of their properties. Having demonstrated a lack of understanding under current legislation, for landlords to consider climate change in relation to their properties is going to require considerable encouragement, knowledge and a clear long term commitment to the Policy. Climate change adaptation and actions to reduce greenhouse gas emissions should be integrated with steps to improve the thermal efficiency of dwellings and reduce utility bills to avoid an increase in fuel poverty. This is possible, but only when the whole home is assessed, goals and options are outlined and modelled for the Landlord, so that they can make the right choices for their tenants and homes. Once again the PAS2035 model works for this, as long as the Retrofit Assessor and Retrofit Coordinator are independent of any particular installers and government managed support, such as ECO, support the whole-home approach, as opposed to rewarding the installation of measures.

The phased introduction worked well in the first round of MEES and so it seems sensible and pragmatic to roll out the new phase in the same manner.

7. Do you agree with increasing the cost cap to £10,000 inclusive of VAT as our preferred policy proposal? If not, please explain why not and provide evidence with your answer.

Elmhurst is in agreement with this proposal. Another route to affordable housing could be reducing the £10,000 cap to any landlord who agrees to house persons on housing benefit for a set amount of years at below market rent.



8. Should the £10,000 cost cap be adjusted for inflation?

As time passes it will be necessary to review the cost cap and by announcing that in advance it should encourage early adoption.

9. Should a requirement for landlords to install fabric insulation measures first be introduced? If yes, when, and how should such a requirement be implemented? If no, what are the alternative installation methods that maximise energy efficiency outcomes? Please provide evidence to support your answer.

A fabric-first policy for domestic dwellings is fundamental. The requirement should be implemented to correspond with the introduction of revised legislation and the improvement reflected in a post-installation EPC. In the pre-installation phase, Retrofit Assessors and Retrofit Coordinators will be best qualified to provide advice on individually relevant improvements to the particular home in question following assessment in relation to energy efficiency, occupation, condition (Retrofit Assessment) and the medium-term improvement plan created by the Retrofit Coordinator.

Any policy simply needs to work with the medium-term improvement plan, and make sure that the fabric is to desired standard, before pressing ahead with any other energy efficient technology e.g. heating, hot water, lighting, generation etc. This was achieved with RHI, which required cavity walls to be insulated and loft insulation to be present before allowing renewables to be introduced. Build upon this, give clear guidelines to all so that retrofit experts can deliver what is required.

Chapter 2

10. We would welcome views on the alternative of a dual metric target to reach both EER Band C cost metric and also EIR Band C carbon metric, with an increased cost cap of £15,000 inclusive of VAT.

Agreed. Elmhurst believes the EPC should be reformatted to prominently display carbon/cost/energy performance outcomes, not just the EPC cost rating.

Elmhurst believes that we can get a balance between cost and carbon and we will explain why and how.

The national calculation methodology can undertake the calculation and the EPC, as previous stated, should display them all the metrics. Task number one is therefore complete, the cost ratings can be calculated and displayed.

By introducing a fabric-first approach in the policy, this will ensure that the heat demand of the fabric (the HTC) figure will be low. Thus a low carbon heating source for example, can now go into the home delivering not only cleaner fuel, but also requiring less energy (kWh), and even though it can be more expensive to buy per unit (kWh), will deliver savings on fuel bills.

What can't be allowed to happen is for homes to bypass the medium term plan and expertise brought by Retrofit Assessors and Retrofit Coordinators. This is important as installing a low carbon heat source, such as low cost ineffective panel heaters, without a fabric-first approach will lead to energy costs getting out-of-control.

The whole home must be assessed, and planned for, deliver the fabric-first approach and give the options to the Landlord.

With the correct checks and balances of a PAS2035 pathway, the dual balance of carbon and cost can be managed effectively. The truth is prices and carbon will continue to change over time for all fuels, the methodologies need to keep up-to-date with variations; people need to stop blaming the methodologies as what they criticise is usually the output of the assessment which is the physical EPC document, or in some cases just the graph (A-G). The information and data is available and given to the right individuals, be it Domestic Energy Assessors, Retrofit Assessors or Retrofit Coordinators, the Landlord will get sound advice on how to comply.

In summary, we support the introduction of a carbon and cost metric for compliance.

11. Should government introduce an affordability exemption? If so, we would welcome views on how such an exemption should be designed and evidenced, and any potential impacts on the PRS market

What must be avoided is an easy exemption route which means that policy never works. Landlords will continue to save money at the expense of tenants if the legislation is not clear about what is required to comply. A robust approach to compliance together with the introduction of an independent competency scheme (i.e. not self-declared) would increase levels of compliance and benefit both tenants and the housing stock.



12. What should the eligibility criteria be for an affordability exemption if it is introduced, and how can the criteria accommodate fluctuations in a landlord's finances and/or in the value of a property? Please provide evidence to support your answer.

Any eligibility criteria should be monitored. Elmhurst already has experience of landlords ringing the Help Desk to ask how to apply for an exemption 'because he/she doesn't want to comply'. An affordability exemption would have to be evidence-based; evidence to be submitted at the time at which the exemption application is made. Fluctuations might be dealt with by an average of three recent year's income, for example.

Elmhurst believes the legislation should not take into account the value of the property as it is not a liquid asset and does not impact on whether the heating bills result in fuel poverty or the carbon emissions are high.

The only exemption should be based, as it is for listed buildings at present, on measures which are exempt if they would be to the detriment of the fabric of the building.

We have two further suggestions to make:

- Introduce a fee in relation to applying to the Exemptions Register. Use the funds generated to employ staff to monitor the validity of the applications, and reject those which do not comply.
 - Introduce a competence scheme so that a well-informed third party can apply for an exemption on behalf of a Landlord. Training for this could be rolled out by Accreditation Bodies who could also monitor the quality of applications being made.

13. Should we incorporate TrustMark into energy performance improvement works? If not, please explain why not and provide evidence with your answer.

Yes. PAS2035 already has a pathway to incorporate TrustMark. Quality assurance is important to the success of retrofit. All the lessons learnt and the recommendations from the Each Home Counts review need to be delivered, and the Trust mark framework is a starter.



14. What role can the private rented sector play in supporting the rollout of smart meters and what are the barriers and possible solutions to achieving this?

Smart meters alone are not a route to reduction of energy consumption. Consumers may take note that more electricity is being used when a kettle or toaster is plugged in, but unless they reduce their energy consumption the smart meter alone is of little use. Data collected from a smart meter is a pathway to digital data about the dwelling. Data collected by this method is extremely useful for the owner/occupier and would have value on a national basis, when used in conjunction with the efficiency of the dwelling's fabric and the way the occupants use the property. Such data should be openly shared by Utility Companies for import by other stakeholders to inform and mould future policies.

As Domestic Energy Assessors physically visit properties, a 'tick box' could be introduced to indicate whether a smart meter is present to serve the dwelling. This information could be extracted to inform about a national picture of take-up.

Building on our previous point, made in Question 5, we must link up the asset rating, the occupational assessment and the metered data so that the owner/tenant, can see what is going on with their property pre and post any installation or advice. This joined up thinking is essential if we are to ensure the desired quality of installs, and to ensure people know how to successfully manage the energy efficiency of their property through good use of controls, adequate ventilation etc. Having metered data ring-fenced by utility companies is not good enough, this needs to be given back to the owners/tenants to help deliver more efficient homes.

15. We would welcome views on whether the PRS Regulations may need to be tightened further for the 2030s? Please provide evidence with your answer.

Elmhurst welcomes a short, medium and long-term plan to deliver energy efficient homes to all families in the UK. PRS/MEES has started a trajectory and already has shown an improvement in some of the UK's worst performing homes; we can't stop in 2030 and think that the job is done. Technology, innovation and the methodologies let alone the fuel mix will look different in the mid-2020s and again the 2030s. We need to embrace this and keep revisiting all policies across all our house types (social rented, owner occupied as well as private rented) to ensure that we are making improvement in a safe, technically feasible and pragmatic way. People deserve to live in warmer, healthier homes and this will only occur if we ensure that policies give the framework, and that there are enough 'carrots' (incentives), 'sticks' (penalties and enforcement) and 'tambourines' (ensuring all-sector awareness of policy and clear guidance in relation to achieving goals).

Chapter 3

16. What are the other steps government could take to increase awareness and understanding of the PRS Regulations?

Elmhurst staff have direct experience that most householders and a large proportion of landlords are not aware of and/or do not understand energy assessment. A resistance to improve the fabric of rental properties, usually on cost grounds, has also been noted on the part of landlords. Letting Agents are often completely ignorant of requirements.

A campaign to advertise the requirements and to promote the benefits to both tenants, landlords and property professionals would be welcomed. It is pointless having sound policies if those who are directly involved do not know about or understand them. A robust approach to compliance together with the introduction of an independent competency scheme (i.e. not self-declared) would increase levels of compliance.

17. Is the introduction of a PRS property compliance and exemptions database necessary to help local authorities to proactively enforce minimum energy efficiency standards? If yes, should we include the per-property registration fee within the cost cap? If not, what alternatives to a PRS property compliance and exemption database would you suggest?

Yes. Elmhurst believes regulation of the sector is imperative. An exemptions data base already exists, but this fact is little known by landlords, Letting Agents and tenants. Further it is hard to locate via a search engine. The exemptions data base should be expanded and used by local authorities. It could be viewed as a 'sweetener' if the per-property registration fee was included in the cost cap.

18. Do you agree that government should set a maximum total registration fee for landlords with a very large portfolio? If yes, how many properties should qualify as a "very large" portfolio? What should the maximum fee be? If you do not agree to a maximum total registration fee proposal, do you have alternative suggestions?

Each dwelling rented out will be providing revenue. The Local Authority will have administrative costs in registering each dwelling as a rental. Therefore, it seems logical not to apply a cap for large portfolios.



19. Should government seek primary powers to place a requirement on letting agents and online property platforms to only advertise and let properties compliant with the PRS Regulations? If not, please explain why not and provide evidence with your answer.

Yes. Elmhurst believes that only compliant properties should be advertised.

20. Should government remove the seven to twenty-one day exemption period on landlords making all reasonable efforts to provide a valid EPC prior to a property being marketed or let? If not, please explain why not and provide evidence with your answer.

Yes. Elmhurst staff have direct experience of tenants being installed, or prospective tenants having viewed a property and agreed to take the tenancy without any evidence of a valid EPC being in place. Such practices can be considered widespread.

There are over 10,000 domestic energy assessors who can provide EPCs in all the regions of the UK. Therefore supply of the service is not in question. The fact is that Letting Agents and Landlords need to understand and uphold the law. If we advocate that the spirit of the regulations is to encourage renters to rent warmer, cheaper to run and better for the environment homes then it seems wholeheartedly sensible to ensure that consumers see the rating before they decide which property to rent, not after the fact.

21. Should government increase the level of the fixed civil penalty fine for offences under the EPB Regulations (currently set at £200)? If yes, how high should the fine be?

Yes. Experience tells us that the current level is not a deterrent. No fine, however high, will encourage compliance if no enforcement mechanism is in place. Staff to carry out enforcement need to be in post and adequately funded. The level of the fine needs to be at least commensurate with the loss associated with it. We would suggest that if a tenant rented a non-compliant home e.g. F or G rated then the Landlord and Agent can be held accountable to the loss of a healthy, warm and cheaper to run property. Such expenditure can quickly add up to hundreds and hundreds of pounds per month. We would suggest a figure of say £1,000, so that people realise this is vital. If particular rogue landlords or agents become repeat offenders, then the penalties should increase!

22. Should government enable LAs to inspect properties for PRS compliance? If not, please explain why not and provide evidence with your answer.

Yes. Poor landlords will always want to 'fly under the radar'. Inspections should be routine, and an anonymous whistle-blowing service made accessible to avoid difficulties for the incumbent tenant. The use of the EPC register and 'exemptions database' in a seamless way will allow LAs to find homes that are not compliant.

23. Should government permit local authorities to use EPC Open Data for some phases of PRS enforcement? Please provide evidence with your answer.

Firstly the open data currently provided is not full RdSAP data, a misunderstanding which keeps repeating itself. It is a combination of some fields from the lodged data set, but does not contain all the elements of the assessment in order to validate if a home has been assessed correctly.

Elmhurst would therefore advocate that LAs can obtain the data that was used to create the assessment, view it in software, and be able to understand what is going on. The fact that the energy performance data is now in a '.GOV' website should mean that appropriate security (data protection) can take place as well as ensuring this data is being used in a legal manner. This would then allow the LAs to effectively police what is going on their respective locations.

24. Should there be a requirement for post-improvement EPCs (and for the cost to be included within the cost cap)?

Yes. It will not be possible to register progress unless pre and post EPCs are produced, as there will not be anything to measure one against the other. Landlords sometimes believe they are making improvements while inadvertently installing measures which result in lower EPC scores – changing storage heaters for direct-acting panel heaters is just one example.

Not only will the landlord not know if the property complies post installations, but LAs would not be able to police the regulations and on a macro level Government wouldn't be able to report on successes and achievements towards the strategic goal. The term 'if you don't measure it you can't manage it' springs to mind, and never has it been truer in this sector.

Many previous policies didn't want to measure the end points, as it was only interested in a 'tick box approach' to success. If we are serious we must make sure that occupants end up in warmer, cheaper to run, healthier and less carbon emitting homes. We must ensure that pre and post measurements take place, otherwise we miss an opportunity.

Elmhurst does not have a strong opinion about whether the cost should be included with the cost cap.

25. Should a valid EPC be in place at all times while a property is let?

Yes. If you introduce various levels people become confused –One rule is easier to understand and easier to enforce.

26. How can the most consistent set of recommendations in the EPC be assured? Does using only the most recent SAP methodology allow this?

A requirement to provide an EPC which is relatively recent would eliminate many complaints about subsequent EPC ratings falling 'inexplicably' which are received by householders, landlords and Letting Agents. Much time and effort is spent by staff employed by Accreditation Bodies answering queries about EPC scores reducing over time, with attendant costs to these organisations.

Elmhurst suggests a period of three years as a maximum between inspections to ensure that homes have valid and up to date EPCs

27. Should listed buildings and those in a conservation area be legally required to have an EPC?

Yes. The listed building query has been the bane of Accreditation Bodies for some years. A clear rule for ALL rented properties would be welcomed. The experience of Elmhurst staff testifies that even the legal profession is confused by the current situation.

Tenants should be afforded the same treatment and right to improvement where possible whether they are living in unlisted buildings, conservation area dwellings or listed properties.

An EPC, in itself, does not require the building owner to take any action it simply identifies the current energy efficiency status of the home and possible opportunities for improvement. Elmhurst, and all our Members, understands that listed buildings need some special attention when it comes to 'some' energy efficient upgrades; and even then this is not 'one rule fits all' of being dependent on the views of the local inspector and the building in question. We therefore have always advocated that all homes must have an EPC, where the property is listed or in a conservation area, it is the duty of the Retrofit Coordinator to ensure that any measures are compliant e.g. a listed building can of course have a cylinder jacket added to a uninsulated tank, but may not be suitable for solid wall insulation. This doesn't mean that you should not get an energy assessment and the right level of competent advice.

If we maintain the current standoff, then all that happens is that people living in these homes will continue to live in cold, inefficient, in some cases unhealthy homes. Give them the energy assessment and the EPC, and make sure that competent people advise and install only appropriate measures for the good of the occupants. Handling through the PAS2035 process will ensure that the appropriate measures are installed.

A simple idea would be to ensure that all homes which fall into these categories are listed somewhere centrally, and when an EPC is created the '.GOV' website can display appropriate warnings and messages to find out more information using a banner on the EPC similar to that used for F & G cost rated homes which states 'This property cannot be legally rented out'.

28. Should government seek primary powers to increase the maximum fine level to £30,000 per property for each breach of the PRS Regulations? If yes, should it be adjusted for inflation? If not, what would be an alternative, appropriate maximum fine level? Please provide evidence with your answer.

Yes. Elmhurst is in favour of the introduction of an increased fine level for each breach of the PRS Regulations. This comment is made in the light of previous recommendation, however, where every effort is made to ensure that the general public, tenants, landlords and Letting Agents are all made aware of the requirements and incentives are introduced to comply. Penalties for those who fail to comply would be a logical alternative.



29. Should government introduce powers for tenants to request that energy performance improvements are carried out where a property is in breach? If yes, how could a redress mechanism be devised?

The dwelling should not be rented out unless it complies with the minimum EPC rating. A tenant should not be living in a dwelling which is in breach.

Whilst robust local authority involvement to enforce the requirement for improvements is desirable, a system should be in place to enforce compliance prior to commencement of a tenancy.

30. Should government introduce some form of local authority disclosure or benchmarking where a property is in breach of PRS Regulations?

Yes. Records such as these should be in place, and made publicly available to view. As they say 'sunlight is the best disinfectant'

31. Do you agree that the updated exemption regime should come into force on 1 April 2025? If yes, do you agree that the property compliance and exemptions database should be opened six months prior to commencement of exemptions? If not, please explain why.

Yes. Experience of direct contact with landlords and Letting Agents indicates there has been little monitoring of the Exemptions Register so far. 'Wiping the slate clean' and beginning again when the legislation changes together with giving clear directions about what is required to apply for an exemption, including clear evidence to support each application, would be good practice.

Self-certification has, in our experience, not been entirely successful as listings have on many occasions failed to comply with the reasons allowed for exemption set out in the current legislation. A more robust monitoring of the Exemptions Register should be introduced, preferably by the introduction of an independent competency scheme, as outlined previously.

32. Should the 'new landlord' temporary exemption be simplified so that it applies to any person who has become a landlord within the last six months? Please provide evidence with your answer.

Yes. Time to assimilate what is required and organise improvements appears to be fair, but after six months a check that compliance has been achieved would also need to be in place.

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