

FINAL



Consultation Response

**Consultation on a reformed Decent Homes Standard
for social and privately rented homes**

Prepared for: MHCLG

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Elmhurst Energy
16 St Johns Business Park,
Lutterworth, Leicestershire, LE17 4HB
01455 883 236



1. Introduction

Elmhurst Energy are pleased that MHLG are seeking a Consultation on 'Consultation on a reformed Decent Homes Standard for social and privately rented homes' and as such we are delighted to respond to each question in turn.

The Consultation asked 53 questions in total and we have answered the questions we felt were relevant below. We hope you find the responses considered and useful for taking 'Consultation on a reformed Decent Homes Standard for social and privately rented homes' forward in a progressive manner.

Given many of the consultations questions we felt were not for Elmhurst to answer, we have just provided the responses to the questions that we answered.

2. Questions and Answers

15. Do you agree that age should be removed from the definition of disrepair

Yes - All tenants living in rented accommodation should expect their home to be of a decent quality with good living conditions and thermal comfort irrespective of the age of any of the components within it. Poor build quality and poor installation of components, can lead to as many issues as disrepair due to age. More frequent visits to properties will be required through stock condition surveys/retrofit assessments to help to identify issues. It would also prove more difficult in the PRS sector to confirm the age of any work carried out at a dwelling.

16. Do you agree that the thresholds used to define disrepair for each component should be updated to reflect a more descriptive measure as proposed?

Yes - we agree that the definitions of disrepair need to be simplified and made clearer to whoever is using them e.g. a surveyor, contractor or tenant.

17. Do you agree that the number of items or components which must require major repairs for the component to be considered in disrepair should be reduced?

No - we believe the list of components should only be increased to cover more areas that could fall into disrepair

30. Do you agree with the proposal that the primary heating system must have a distribution system sufficient to provide heat to the whole home?

Yes – though to improve thermal comfort within the dwelling we agree it should be whole house rather than the two rooms currently stated. There is a chance that damp and mould could spread more quickly within unheated rooms and that additional costs could incur if tenants use portable heaters to heat those rooms. Fuel poverty is as important with regards to health and well being as other factors. Making homes more energy efficient is key in helping to combat this.

31. Are there other thermal comfort requirements that you think should be included in the DHS beyond current MEES proposals?

Yes

32. If there is anything else you would like to add on this specific proposals, please provide details here

Elmhurst strongly believes overheating in homes should be assessed as part of the Decent Homes Standard. As our climate warms it is vital that homes are designed to mitigate overheating and whilst this is already happening in new homes via Part O of the Building Regulations there has been little action on this issue in existing homes. The Government's statistics show that during heatwave periods in 2024 there were 1,311 deaths and 2025 has seen a greater number of heatwaves. Part O of the Building Regulations has introduced procedures for mitigating overheating risk and these procedures should be extended to existing homes to protect occupants as the climate warms.

33. Our expectation is that, to meet the DHS, landlords should ensure their properties are free from damp and mould. Do you agree with this approach?

Yes

Criterion E will be in addition to the requirements under Awaab's Law as it aims to prevent damp and mould reaching a level that is hazardous. If, however, damp and mould in a property were to become severe enough to cause 'significant harm', landlords would have to comply with Awaab's Law to ensure prompt remediation and, if they do not, tenants will be able to take action in the courts. The damp and mould standard in the DHS should however help to prevent damp and mould getting that severe. Do you agree with this approach?

Yes, it is vital that the health of the tenant is maintained, and fixing and improving ventilation or other potential damp issues should be a matter of course for the property owner.

34. To ensure the standard is met, regulators and enforcers will consider whether the home is free from damp and mould at bands A to H of the HHSRS, excluding only the mildest damp and mould hazards? Do you agree with this approach?

Yes

35. If there is anything else you would like to add on this specific proposal please provide details here.

We fully support that Tenants cannot be expected to reduce moisture levels if their home does not enable them to do so, but it is of equal important that tenants understand the vital nature of a correctly installed ventilation system, and such system must not be sealed up, closed or turned off.

44. What do you think the implementation date for the DHS should be in the Social Housing Sector? (Select one)

Other

If you responded Other, what do you think the implementation date should be? (Select one)

2030 – this would be in line with MEES. Cost implications need to be considered but any remedial works can be done in one go rather causing further disruption to a tenant at a later date.

45. What do you think the implementation date for the DHS should be in the Privately Rented Sector? (Select one)

Other

If you responded Other, what do you think the implementation date should be? (Select one)

2030 – this would be in line with MEES. Cost implications need to be considered but any remedial works can be done in one go rather causing further disruption to a tenant at a later date.

46. Do you support phasing in some elements of the new Decent Homes Standard ahead of the proposed full implementation dates (2035/2037)?

Elmhurst believe that anything that has an impact on MEES for example the Heating systems, fabric of a building, ventilation could be introduced ahead of the full implementation dates.

52. THESE QUESTIONS RELATE TO THE SOCIAL RENTED SECTOR: Do you agree that providers should be given flexibility from meeting the DHS where tenants refuse access?

Yes - we agree there needs to be flexibility but careful monitoring to ensure tenants are not being forced into refusing access or being given limited timeframes for work to be carried out. More than one date should be given for the remedial work, this particularly applies to more vulnerable tenants like the elderly.

THESE QUESTIONS RELATE TO THE SOCIAL RENTED SECTOR: Do you agree that there should be additional guidance issued by the government to provide more detail on tenant refusals?

Yes - we agree that clear guidance needs to be provided to both the provider and the tenant.

THESE QUESTIONS RELATE TO THE SOCIAL RENTED SECTOR: Do you agree that providers should be given flexibility from meeting the DHS where there are physical or planning factors preventing compliance?

Yes - we agree that flexibility should be given where there are planning restraints or planned regeneration/sale of a dwelling. Again clear guidance needs to be provided and timescales provided.

THESE QUESTIONS RELATE TO THE SOCIAL HOUSING SECTOR: Do you agree that providers should be given flexibility from meeting the DHS for non-compliance due to sale, demolition, or planned regeneration of properties?

Yes

Contact Details

Should you require any further clarification,
please contact us at:



Elmhurst Energy
16 St Johns Business Park,
Lutterworth,
Leicestershire,
LE17 4HB



01455 883 250



enquiries@elmhurstenergy.co.uk



www.elmhurstenergy.co.uk



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energy