

Citizens Advice response: Consultation on a reformed Decent Homes Standard for social and privately rented homes



About us

We can all face problems that seem complicated or intimidating. At Citizens Advice we believe no one should have to face these problems without good quality, independent advice. We give people the knowledge and the confidence they need to find their way forward - whoever they are, and whatever their problem.

We provide support in approximately 1,900 locations across England, Wales and the Channel Islands. Our service is delivered by around 19,000 volunteers and 9,800 colleagues.

Through our advocacy work we aim to improve the policies and practices that affect people's lives. No one else sees so many people with so many different kinds of problems, and that gives us a unique insight into the challenges people are facing today.

For this consultation, we have responded to questions where relevant to our remit and expertise.

Executive summary

Citizens Advice welcomes the opportunity to respond to this consultation on a reformed Decent Homes Standard in rented homes.

We know that hazards and non-decent standards are widespread, particularly in the private rented sector. In 2024 Citizens Advice helped nearly 35,000 people with issues related to disrepair in social and private rented homes, which represents a quarter of all issues for clients in those housing tenures. Nearly 20,000 (19,894) of these clients were private renters, including over 11,000 with damp, cold and mould issues. And in England, 75% of private renters have lived in a property with damp, mould or excessive cold.¹

These issues can have severe effects on clients' health and wellbeing. Damp and mould in particular increases the risk and severity of a range of physical health issues, from cardiovascular diseases to asthma, and also affects people's mental health. Cold, damp and mouldy conditions can also push up energy bills, which tenants have to pay on top of rising rents. And the insecurity of the private rental market means that many are reluctant to push for improvements. More than a third of private renters who have faced issues with damp, cold or mould didn't complain to their landlord.²

Susie came to Citizens Advice for help as her privately rented home is in a poor state of repair, including a flooded cellar that has made the property damp and cold. There are cracks in the walls and ceilings and Susie has to clean black mould constantly. Susie already has breathing and lung issues which have been exacerbated by the damp, and her energy bills are now very high from trying to keep the house warm. Her landlord knows about the issues but hasn't taken any action, and Susie is worried about escalating her complaint in case she receives a rent increase or is given an eviction notice.

A reformed Decent Homes Standard could be a key tool in improving housing conditions in the rented sectors, if accompanied by robust enforcement.

We support the Government's proposals to update the definition of disrepair and require landlords to provide suitable floor coverings, ensuring that tenants are provided with basic elements that are in good repair. We also support new requirements around thermal comfort and preventing damp and mould, which can help ensure that tenants' homes are healthy and comfortable - while supporting related policies such as higher

¹ Citizens Advice (2024), [Through the roof: rising rents, disrepair and evictions](#)

² Ibid.

minimum energy efficiency standards (MEES) in the private rented sector and Awaab's Law.

We further agree that the DHS should be applied to temporary accommodation. This should be backed up by wider housing reforms and increased local authority resources to reduce the overall demand for temporary accommodation and drive up standards where it is used, including avoiding the use of accommodation such as hotels and B&Bs where the DHS generally cannot be met.

However, the Government must be much more ambitious in its implementation timeline. Waiting for over a decade to implement the DHS could leave hundreds of thousands of tenants needing support with disrepair while waiting for improved standards. Instead, an implementation date of 2030 will deliver healthy and decent homes to tenants while providing clarity to landlords by bringing the DHS in line with related policies such as increased MEES. Given that many requirements of the DHS are concerned with basic standards around fitness for habitation, this should not place an undue burden on most conscientious landlords.

Updating the definition of disrepair

Question 11: Do you agree that age should be removed from the definition of disrepair?

Yes, we agree that age should be removed from the definition of disrepair. Components can break or become unsuitable for use for a range of reasons, including factors such as poor quality fitting or unrelated damage. Living with broken or damaged components can cause serious detriment to tenants, making homes uncomfortable and dangerous to live in. Tenants should not be left with these broken components simply because they haven't yet reached a particular age.

However, we recognise that age is a clear and objective metric. If age is removed from the definition, it is vital that disrepair is still defined clearly and can be proven in a simple way. This will ensure that tenants and landlords can clearly identify disrepair and take swift action.

Question 12: Do you agree that the thresholds used to define disrepair for each component should be updated to reflect a more descriptive measure as proposed?

We agree that the thresholds used to define disrepair for each component should be updated to be more descriptive. Adding in more description will help ensure that definitions of disrepair more meaningfully reflect the experience of living in a property in practice. It will also help to make the definitions more accessible and understandable for both tenants and landlords.

Question 13: 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?

Yes, we agree that the number of items or components which must require major repairs for the component to be considered in disrepair should be reduced. Lowering the bar to consider a component to be in disrepair will help boost standards and ensure that homes are not considered decent if there are multiple components requiring repair.

However, if a property can still be considered decent if it has some items requiring major repairs (but fewer than the threshold to be considered in disrepair), there should

be clear guidance on what steps a landlord should take in these circumstances to ensure the property is safe and liveable for tenants.

Question 15: Do you agree that kitchens and bathroom components should be considered as “key” i.e. one or more in disrepair would cause a property to fail the DHS?

Yes, we agree that kitchen and bathroom components should be considered as “key”, meaning that one or more components being in disrepair would cause the property to fail the DHS. These are basics which are needed to carry out essential daily activities such as cooking and washing, which tenants should reasonably be able to expect to do in their rented home. Kitchen and bathroom disrepair are common issues we help people in both the private and social rented sectors to address, and properties should not be let out if tenants do not have access to these facilities in good repair.

Tara came to us for support with disrepair in the kitchen and bathroom of her privately rented home. The toilet flush and cooker fan have both been broken since she moved in. She is forced to use buckets of water to flush the toilet, and the lack of ventilation in the kitchen and bathroom causes odours to build up throughout the home. In addition, the boiler in the property is faulty and she is concerned she may lose access to hot water. Despite repeatedly contacting her landlord, she has received no reply and is left worried about her children's health.

Question 16:

a) Do you agree with the proposed list of building components that must be kept in good repair?

Yes, we agree with the proposed list of building components that must be kept in good repair. The new additions to the list are important to keep tenants safe and ensure homes are livable. Fire safety components and safe access are particularly important to make sure homes are safe to live in and don't lead to injury to tenants. Additions related to damp and its causes are particularly important to protect tenant health and prevent illness. Despite the well-known links between damp, mould and cold and respiratory illness, a significant number of tenants are exposed to these issues for long periods of time.³ We helped 16,647 people with disrepair related to damp, mould and condensation in the past 12 months across the private and social housing sectors.

Question 17: Do you agree with the proposed “key” components and “other” components as listed?

³ Citizens Advice (2024), [Through the roof: rising rents, disrepair and evictions](#)

We largely agree with the proposed “key” and “other” components listed. However, it is important to consider that some components will be “key” for people with specific needs and circumstances, even if they would fall into the “other” category for different groups.

For example, appropriately fitted balustrades, handrails and stair treads will be more essential for those who have mobility issues or are more at risk of falls. This could include elderly people, children and disabled people. Regulations should consider the safety and comfort of the most vulnerable potential tenant. Therefore, components such as balustrades, handrails and stair treads should be considered “key”.

Suitable floor coverings

Question 24:

a) Do you think that landlords should provide suitable floor coverings in all rooms at the start of every new tenancy from an agreed implementation date?

Yes, landlords should provide suitable floor coverings in all rooms at the start of every new tenancy.

Missing floor coverings are most commonly seen in the social rented sector. National polling revealed that 4 in 5 social tenants had no floor coverings or only partial floor coverings when moving into a property.⁴ Furthermore, there are 760,000 adults in social housing living without flooring - this could equate to 15% of people in the sector.⁵ Insights from our frontline service show that living in properties without floor coverings has negative impacts on tenants, including higher fuel costs, noise complaints from neighbours, and the health hazards of exposed flooring, especially for children. People can face financial detriment if they have to put in floor coverings themselves, at significant extra cost.

Across all tenancy types, it is important that any floor coverings are in good condition. While tenants in the social rented sector can experience missing floor coverings, in the private sector our advisers see cases where carpets have been damaged by damp and mould. In some cases these need to be removed, which can expose tenants to further health hazards and risk them being left without floor coverings for periods of time if carpets have yet to be replaced.

We've also heard from advisers that many people moving into temporary accommodation arrive at properties without basic essentials like floor coverings. This is because of a common practice amongst temporary accommodation providers of removing furnishings like carpets and rugs when a property is vacated. While some soft furnishings might need to be removed or deep cleaned between tenants to ensure health and safety standards, this blanket approach can be unnecessarily wasteful. Families are frequently moved between different temporary homes, so multiple families can be forced to use their own limited funds or be pushed into debt to buy essential furnishings for the same accommodation.

⁴ Longleigh Foundation (2024), [The Provision of Floor Coverings in Social Housing](#)

⁵ End Furniture Poverty (2023), [The Extent of Furniture Poverty in the UK](#)

Laura is a single mother to two young children. Her family was made homeless after falling into rent arrears 3 years ago, forcing them into temporary accommodation. Since then, Laura's family has been moved between 4 different temporary accommodation properties, never knowing how long they would stay - she was moved out of the last one with only 48 hours' notice. It was winter and the property was freezing, with no carpet, furniture, or heating. For the first week, Laura and her children had no beds and had to sleep on a duvet placed directly on the bare concrete floor. Citizens Advice was able to help Laura get a furniture voucher to buy essentials, but she still had to spend her own money, when her budget was already tight, to make the property liveable for her young family.

Thermal comfort requirements

Question 26: 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, we agree that the primary heating system must have a distribution system sufficient to provide heat to the whole home. This is essential to ensure that tenants can heat the whole home adequately and avoid relying on secondary heating systems. Secondary heating methods such as electric radiators can be extremely expensive and inefficient to run, while methods such as open fires and wood-burning stoves create harmful air pollution that is damaging to health.

Question 27: Are there other thermal comfort requirements that you think should be included in the DHS beyond current MEES proposals?

We have welcomed MEES proposals, and strongly agree with the Government's proposed approach to make fabric performance a primary metric.⁶ Improved fabric performance makes homes more comfortable to live in year-round, as well as cutting energy bills and helping to prevent unhealthy and dangerous conditions due to damp and mould. However, the effectiveness of these proposals will depend on the final design of the reformed EPC framework and its application in practice. This design should ensure that where a home's fabric performance reaches the equivalent of EPC C, this translates to a decent level of thermal comfort for residents. There is a risk that under the fabric requirements currently proposed by MEES, some properties may continue to risk damp and mould issues.⁷

Well-designed MEES requirements around fabric performance can provide a useful regulatory standard. But the DHS can still have an important role to play in providing a backstop that ensures that tenants are comfortable in their homes in practice. The new requirements around damp and mould are essential to make sure that homes are free of these hazards, even if they already meet EPC C or equivalent.

We believe there is also value in setting out a standard of thermal comfort that is based on the experience of living in the home, as well as the features recorded through an

⁶ Citizens Advice (2025), [Citizens Advice response to government consultation on improving the energy performance of privately rented homes](#)

⁷ National Retrofit Hub (2025), [Delivering for tenants: What is needed from the Minimum Energy Efficiency Standards to deliver the health, fuel poverty and comfort outcomes needed for renters?](#)

EPC. This should consider both minimum levels of warmth in the winter months, and maximum heat levels in the summer. While cold home temperatures in winter and the presence of damp and mould have severe adverse effects on people's health and wellbeing, excessively high indoor temperatures during periods of hot weather also pose an increasing risk to people's comfort and health.

Citizens Advice research has found that 40% of private renters struggled to keep their homes cool this summer (2025).⁸ We found that periods of hot weather frequently led to health impacts, difficulty sleeping, and extra energy costs through use of cooling measures such as fans.⁹ And official statistics show that there were 1,311 heat-associated deaths in England during 4 heat episodes over the summer of 2024.¹⁰ This means that it is vital to have a nuanced standard of thermal comfort which accounts for extreme heat as well as excess cold. This could lead to measures such as improved ventilation alongside fabric measures, and passive cooling measures.

⁸ Data is based on an online, nationally representative poll of 4,000 UK adults (18+) commissioned by Citizens Advice and conducted by Opinium. Fieldwork was conducted between 2nd and 7th August 2025.

⁹ Ibid.

¹⁰ UK Health Security Agency (2025), [Heat mortality monitoring report, England: 2024](#)

Damp and mould

Question 29:

- a) 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?
- b) 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, we agree with this approach. Damp and mould increases the risk and severity of a range of physical health issues, from cardiovascular diseases to asthma.¹¹ Our research found that 14% of renters living with damp or mould said these conditions had impacted their health by exacerbating asthma or a respiratory illness.¹² These hazards also affect people's mental health, with depression and anxiety being more common among people who live in cold and damp conditions.¹³ Half of all renters affected by disrepair report experiencing stress or anxiety due to these issues, with 22% saying they suffer from depression as a result.¹⁴ People living in mouldy and damp homes can also miss more days of work and school as a result, and in some cases risk social isolation.

Ensuring that homes are free of damp and mould is therefore a key part of landlords' basic responsibilities to provide safe and habitable homes. But these conditions are widespread across the private rented sector, and three quarters (75%) of private renters in England have lived in a home with mould, damp or excessive cold.¹⁵ These issues often remain unresolved, with almost half of those with current cold, damp or mould issues (48%) saying they have experienced these conditions for more than a year.¹⁶ With many tenants reluctant to complain about damp and mould, often due to fears around rent increases or evictions, proactive regulation to prevent these hazards is long overdue.

¹¹ Public Health England (2014), [Fuel poverty and cold home-related health problems](#)

¹² Citizens Advice (2024), [Through the roof: rising rents, disrepair and evictions](#)

¹³ House of Commons Library (2023), [Health inequalities: Cold or damp homes](#)

¹⁴ Ibid.

¹⁵ Citizens Advice (2024), [Through the roof: rising rents, disrepair and evictions](#)

¹⁶ Ibid.

We also agree that the Decent Homes Standard should supplement Awaab's Law by providing protections to prevent damp and mould issues from reaching hazardous levels. While the DHS should ensure overall standards of decency are met, including prevention of damp and mould, Awaab's Law will remain a necessary backstop to provide tenants with resolution where serious damp and mould issues are present. Awaab's Law should ensure that these issues are dealt with in a reasonable timeframe, before they cause serious health impacts. The mutually reinforcing nature of these two policies mean that it is important for them to be introduced on the same timeline in 2030. This will ensure that tenants are not left living with the health and social impacts of damp and mouldy homes into the 2030s if their property's damp and mould issues are not deemed to be "hazardous".

Ultimately, both Awaab's Law and the Decent Homes Standard will only be effective in improving outcomes for tenants if they are adequately enforced. There should be clear routes for tenants to complain where needed, and tenants should be able to raise issues without fearing retaliatory action from landlords through rent increases or eviction. This will require robust enforcement of the Renters' Rights Bill and an effective tribunal system to challenge unfair rent increases. Effective enforcement should also include sufficient resources for local authorities to engage proactively with landlords to ensure that standards are met, providing support to those who wish to comply and enforcing robustly against those who refuse. While it is important that tenants can safely report issues, well-resourced local authority enforcement can help ensure that decent standards are provided from the outset. This will reduce the need for tenants to undertake potentially stressful and burdensome action against their landlords in order to live in decent properties.

Question 30: 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, we agree with this approach. It is essential that regulators and enforcers also take "mild" cases of damp and mould seriously. Even less severe cases of damp and mould can affect tenants' health, and can indicate underlying fabric issues with the property that could lead to more serious damp and mould issues if left untreated.

However the Government should also consider how to reform the HHSRS to make it more straightforward to identify hazards such as damp and mould, as well as ensuring that there are enough qualified HHSRS inspectors to carry out this work. It is important

to use objective measures of temperature and relative humidity, rather than relying solely on subjective assessments of visible damp or mould. Ongoing monitoring using available data could also have a role in identifying issues before they become serious enough to result in visible mould issues.

Where damp or mould is identified, regulators and enforcers should require lasting solutions to address the underlying causes of disrepair. While it is important to address concerns in a timely way, this should be balanced with the need to look at the structural causes of damp and mould. Short-term cosmetic fixes such as painting over mould do not solve the underlying issue and should not be accepted as a solution to meet standards.

Temporary accommodation

Question 32: Do you agree all other aspects of the DHS in relation to bathrooms and facilities should still apply to temporary accommodation which lacks kitchen and cooking facilities and/or separate bathroom facilities?

Yes, we agree. Temporary accommodation should be safe and livable for tenants, and appropriate kitchen and bathroom facilities are fundamental components of decent accommodation.

Yet insights from Citizens Advice advisers indicated concerning conditions in current temporary accommodation, including a lack of essential equipment such as white goods and poor or inappropriate shared facilities. This can include shared bathroom facilities for unrelated children and adults, including people of different genders who may have experienced or perpetrated abuse or violence. It can also include kitchen facilities that are unhygienic, and/or lack safe food storage like fridges. These conditions can affect people's ability to carry out daily activities such as cooking and washing, and can mean people with particular needs can't use shared facilities - for example, those with allergies or dietary requirements. This results in families having to rely on hot takeaways or pre-prepared food, which cost more and can limit access to healthy food options.

These conditions highlight the challenge of providing decent accommodation when using facilities such as hotels and B&Bs. Rather than accepting these conditions, changes are needed so that local authorities are not routinely using accommodation where the Decent Homes Standard cannot be met. These types of temporary accommodation should only be used as a last resort where there is no more suitable alternative accommodation.

To reduce the need to use these types of facilities, more must be done to reduce the overall demand for temporary accommodation. This will require broader reforms to ensure that there is enough affordable housing where people can live permanently. Measures such as uprating the Local Housing Allowance (LHA) and helping people with high living costs can help people maintain tenancies, and prevent homelessness.

Where temporary accommodation does need to be used, local authorities must be funded to provide safe and suitable properties and improve the current temporary accommodation stock. As well as meeting health and safety standards, temporary accommodation should be genuinely livable. This includes basic facilities such as kitchens and bathrooms, including white goods.

It is vital that local authority funding for temporary accommodation is uprated, given that this is currently frozen at 2011 rates and rents have spiralled since then.¹⁷ Improved resources should also enable local authorities to monitor their use of private temporary accommodation providers and ensure properties meet minimum standards. This accommodation is often poor quality and unsafe, while its providers turn a large profit.

Question 33:

a) Are there any other elements of the DHS which have not already been identified which are likely to be challenging to apply to temporary accommodation?

b) If answered yes to Q33a), please give details

We haven't identified other elements of the DHS which are likely to be challenging to apply to temporary accommodation. Even where there are challenges, that is not a reason to relax housing standards rules for temporary accommodation. As noted above, rather than accepting conditions in temporary accommodation that fail to meet elements of the DHS, more should be done to reduce the need to place people in unsuitable accommodation by reducing the demand for temporary accommodation overall.

¹⁷ Local Government Association (2024), [Temporary accommodation subsidy gap has cost councils more than £700 million over the last five years](#)

Best practice guidance

Question 38:

a) What information and/or topics would you like included in the proposed additional best practice guidance for social and private landlords and tenants?

(Select all that apply)

Please select what you would like to include:

- Accessibility
- Additional home security measures e.g. external lighting and CCTV
- Adaptations to climate change
- Digital connectivity
- Electrical Vehicle Charging
- Furniture provision
- Water efficiency measures
- Other

All the proposed topics would have value within best practice guidance for landlords and tenants, particularly:

- **Accessibility.** This is essential to ensure that homes are decent and livable for tenants who are disabled or have additional needs. Considering this in the context of housing standards is important partly to ensure homes meet the specific needs of those with disabilities and health conditions, but also because those groups represent a significant portion of the people we help with disrepair. In the past year, 51% of the tenants we saw with a disrepair issue had a disability or long-term health condition.
- **Adaptation to climate change.** Climate change means that tenants risk being both too cold in winter and too hot in summer, without appropriate adaptations. Our research has found that last winter a third (32%) of private renters couldn't heat their homes to a comfortable temperature.¹⁸ Even more (40% of private renters) found it difficult to keep their homes cool this summer.¹⁹ Effectively insulating and ventilating properties can help to keep homes warm in winter and

¹⁸ Data is based on a nationally representative online survey of 2,430 private renters in England and Wales, conducted by Yonder Consulting between 13th- 26th February 2025.

¹⁹ Data is based on an online, nationally representative poll of 4,000 UK adults (18+) conducted by Opinium. Fieldwork was conducted between 2nd and 7th August 2025.

cool in summer, and landlords should also be aware of additional climate change adaptation measures.

- **Digital connectivity and furniture provision.** This is particularly important in the temporary accommodation sector, where insights from our advisers highlight a frequent lack of basic furniture and furnishings. These elements are essential to make sure this accommodation is genuinely livable, while digital connectivity is often required to help tenants access essential services and keep in touch with support networks.

Implementing the Decent Homes Standard

Question 40:

a) What do you think the implementation date for the DHS should be in the SRS?

2035 / 2037 / Other (Please select one)

b) If Other – What do you think the implementation date should be? (Please select one)

2027 / 2028 / 2029 / 2030 / 2031 / 2032 / 2033 / 2034 / 2036 / Later/Don't know

Question 41:

a) What do you think the implementation date for the DHS should be in the PRS?

2035 / 2037 / Other (Please select one)

b) If Other – What do you think the implementation date should be? (Please select one)

2027 / 2028 / 2029 / 2030 / 2031 / 2032 / 2033 / 2034 / 2036 / Later/Don't know

We answer Questions 40 and 41 together.

We believe that both the 2035 and 2037 implementation dates are too late for both the private and social rented sectors, and another date should be identified. Private and social tenants should not have to wait another decade for basic minimum conditions of decency, which most landlords should already be providing. An implementation date of 2030 would be more appropriate for both sectors.

Private rented sector

In 2024 alone, Citizens Advice advisers helped 19,894 privately renting clients with disrepair issues. This represented 26% of clients we helped with problems related to the private rented sector. Waiting until the late 2030s to implement the DHS in the PRS could leave 100,000s of tenants needing our support with disrepair while waiting for improved standards.

A 2035 or 2037 implementation date is also out of sync with other related policy deadlines around improving privately rented homes. This includes the introduction of Awaab's Law to the private rented sector and the increase in minimum energy efficiency standards (MEES), which have overlapping requirements with Criteria D and E of the

DHS around fabric improvements and prevention of damp and mould. We believe that an implementation date of 2030 would be more appropriate to align with these deadlines.

A single implementation date across these policies will allow the Government and relevant bodies such as letting agents to communicate clearly with landlords about their new requirements. And where landlords need to undertake work to improve the fabric performance and thermal comfort of their properties, it will be more efficient for landlords and less disruptive for tenants for this to be completed in full ahead of a single deadline.

In practice, many landlords will meet these DHS requirements by 2030 as a result of undertaking work to comply with policies such as MEES. But if some landlords do partially undertake work ahead of 2030 and then need to make further changes ahead of an additional deadline, this will potentially increase costs and introduce unnecessary additional periods of work and disruption.

Question 42:

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

b) If Yes – Which elements of the new DHS do you think should be introduced ahead of the proposed full implementation dates (2035/2037)?

We believe that the full implementation date should be moved forward to 2030. This will provide an appropriate balance between giving landlords time to comply and avoiding leaving tenants to spend another decade or more in non-decent and potentially hazardous conditions. Many of the requirements of the DHS concern basic standards around fitness for human habitation and should largely already be complied with by conscientious landlords. We therefore do not agree that landlords require another 10 years to meet these minimum standards of decency.

If a phased implementation was explored, we believe that at a minimum Criteria D and E (addressing compliance with minimum energy efficiency standards and prevention of damp and mould) should be phased in by 2030. As we highlight above, this will align with requirements to meet minimum standards and address serious damp and mould issues, meaning that introducing these elements of the DHS at this stage will be minimally burdensome to landlords. Implementing these regulations at the same time will provide another route to enforcement and improvement before full implementation

of the reformed DHS, and will provide more simplicity for landlords complying with new policies. Waiting to introduce these requirements will mean that tenants living in damp and mouldy conditions may need to wait until the mid-2030s for action to be taken - or until their damp and mould issues become extremely hazardous and therefore actionable under Awaab's Law.

Question 49:

a) Do you agree that statutory enforcement guidance should specify that local authorities should exercise discretion on enforcement when physical or planning factors prevent compliance with a DHS requirement?

b) Should statutory enforcement guidance specify that local authorities exercise discretion on enforcement in situations of tenant refusal?

c) If there is anything else you would like to add on this specific question please do so here.

While there may be a small number of exceptional circumstances, we are concerned that introducing excessive discretion on enforcement risks weakening the impact of the policy and allowing unscrupulous landlords to evade their responsibilities.

Where the Government identifies potential barriers to compliance with the DHS, it should first consider if and where these could be mitigated by policy changes - before directing local authorities to exercise discretion. Addressing these barriers will also be essential to ensure the effectiveness of related policies such as MEES in the private rented sector. Any guidance around discretion should be clear and detailed, to ensure that it is not being applied inappropriately in circumstances where it would be possible for landlords to meet the DHS.

We do not agree that statutory enforcement guidance should specify that local authorities should exercise discretion in cases of tenant refusal. We are concerned that this type of exemption is particularly open to abuse, as landlords who wish to avoid their obligations can pressure their tenants to say they don't want improvements. We know that the insecure and unaffordable nature of the private rented sector means that many private tenants are already worried about asking for improvements in their homes due to fears of rent increases, evictions, or causing tension with their landlord. This can lead tenants to put up with unacceptable conditions in their current property to avoid the risk of needing to leave their home and find a new tenancy. As a result, many tenants would likely feel that they had to agree to revoke consent to improvements if asked to do so by their landlords, even if they wanted and needed repairs to be made.

Any instances of local authority discretion due to tenant refusal should include clear guidance on when this is and isn't appropriate to use, and should include robust evidencing requirements for tenant refusal. Where tenants have genuine concerns, landlords can often mitigate these by communicating clearly about the need for and process of improvement works, and taking action to prevent excessive disruption. Citizens Advice research has found that almost half (47%) of private renters said they would be more likely to accept energy efficiency measures if their landlord provided a clear timeline for work and explained the process.²⁰

²⁰ Data is based on a nationally representative online survey of 2,430 private renters in England and Wales, conducted by Yonder Consulting between 13th- 26th February 2025.