

# Consultation Response

## Improving the energy performance of privately rented homes

Department for Business, Energy, and Industrial Strategy

December 2020

Contact: [joel.lewis@ageuk.org.uk](mailto:joel.lewis@ageuk.org.uk)

All rights reserved. Third parties may only reproduce this paper or parts of it for academic, educational or research purposes or where the prior consent of Age UK has been obtained for influencing or developing policy and practice.

Age UK  
Tavis House  
1-6 Tavistock Square  
London WC1H 9NA  
T 0800 169 80 80 F 020 3033 1000  
E [policy@ageuk.org.uk](mailto:policy@ageuk.org.uk)  
[www.ageuk.org.uk](http://www.ageuk.org.uk)

Age UK is a charitable company limited by guarantee and registered in England (registered charity number 1128267 and registered company number 6825798). The registered address is Tavis House 1-6 Tavistock Square, London WC1H 9NA.

## About this consultation

The government has committed to upgrade as many private rented sector homes as possible to Energy Performance Certificate (EPC) Band C by 2030, where practical, cost-effective, and affordable. This consultation sets out a suite of policy proposals towards achieving this. These proposals will bring significant benefits to landlords, tenants and our environment including:

- reducing energy bills and increased comfort for tenants and supporting delivery of our statutory fuel poverty target of EPC C by 2030
- potential property value improvements for landlords
- delivering carbon emission savings over Carbon Budgets 4 and 5, making progress towards our net zero target

## Key points and recommendations

- We support the proposed requirement for all privately rented homes to be EPC Band C by 2028. This is necessary to improve the lives of the estimated 750,000 older people living in the PRS in England.
- A million older people in England are living in fuel poverty and improving the efficiency of homes will provide an appropriate baseline which will keep more people warm and well. This is particularly important for those that are not receiving financial (Warm Home Discount Scheme) or practical (Green Homes Grants) support they are entitled to.
- To ensure the homes of the most vulnerable are upgraded before 2028, local authorities need to work with landlords, other housing providers, health bodies and local community groups and charities to identify those most at risk of fuel poverty.
- Due consideration must be given to the practicalities of achieving the proposed regulations, as well as how they will be enforced.
- PRS homes should pass the 'mum test'. If a landlord would not be happy for their mother to live in a cold and energy inefficient home, then it is not suitable to be let.
- We do not believe that the proposals will have a dramatic negative impact on the size of the PRS.
- Age UK supports the cost cap on improvements increasing to £15,000 per property, inclusive of VAT.
- We support a fabric first approach to improvements, provided landlords are appropriately incentivised to do this.
- We do not support an affordability exemption as question whether local authorities have sufficient resources to administer one.
- The Government must consider other issues alongside this consultation if they are to maximise the benefits of reform in this area. For example, funding for adaptations to privately rented housing should be made easier to access, consideration should be given to a mandatory licencing regime for landlords, as well as the abolishment of Section 21 evictions.

## About Age UK

Age UK is a national charity that works with a network of partners, including Age Scotland, Age Cymru, Age NI and local Age UKs across England, to help everyone make the most of later life, whatever their circumstances. In the UK, the Charity helps more than seven million older people each year by providing advice and support. It also researches and campaigns on the issues that matter most to older people. Its work focuses on ensuring that older people: have enough money; enjoy life and feel well; receive high quality health and care; are comfortable, safe, and secure at home; and feel valued and able to participate.

## Introduction

Age UK welcomes the opportunity to respond to this consultation and shape regulations which will improve the lives of older private tenants. Whilst the majority of older people are owner-occupiers, there are still an estimated 750,000<sup>1</sup> in England living in the private rented sector (PRS). This figure is expected to rise due to the demographic changes of an ageing population and increases in the number of existing renters approaching older age<sup>1</sup>. Many older tenants are living on low-incomes and in energy inefficient homes, making them at acute risk of the negative impacts of fuel poverty. Age UK previously estimated that there are at least one million older people (60+) in England living in fuel poverty<sup>2</sup>.

An estimated 28,300 excess winter deaths occurred in England and Wales in winter 2019 to 2020, which was 19.6 per cent higher than winter 2018 to 2019<sup>2</sup>. Respiratory diseases continued to be the leading cause of excess winter deaths that occurred in 2019 to 2020. These conditions also put people at increased risk of the most acute impact of Covid-19. Cold, damp and energy inefficient housing has proven links to increased incidence of respiratory conditions. The impact of poor housing, of which energy inefficiency plays a considerable role, costs the NHS an estimated £1.4 billion annually<sup>3</sup>. Improving the homes of hundreds of thousands of renters should have a considerable positive impact on their health, as well generate savings to the public purse.

Several Age UK reports outline the experience of older private tenants including 'Ageing in squalor and distress: older people in the private rented sector'<sup>4</sup> and the Age UK London report 'Living in Fear'<sup>5</sup>. Our network of national and local charities provide advice on housing and energy to thousands of older people and their families every year. We also deliver a range of programmes<sup>6</sup> to help older people maximise their incomes and keep them warm and well at home. We recognise that there are always difficult trade-offs when designing new regulations and legislation which affect issues of energy and fuel poverty.

---

<sup>1</sup> Age UK analysis of the English Housing Survey 2017-18. The number of people aged 60 or over living in the private rented sector is estimated to be 744,698 (with a 95% confidence interval of between 616,703 and 895,964). Households with members aged below 60 and aged 60 or above are assumed to only have one person aged 60 or over living in them due to the limitations of the data; this may lead to an underestimation of the number of people aged 60 or over living in the private rented sector

<sup>2</sup> Age UK methodology - Age UK Analysis of the [Fuel Poverty Dataset 2017](#) and [ONS mid-year estimates 2018](#) (both accessed on 20th January 2020). The number of people aged 60 and over in England living in fuel poor household is estimated to be 991,435 (with a 95% confidence interval of between 805,327 and 1,250,313). The number of people aged 60 and over living in England is estimated to be 13,223,627. **There around 7.5%** (with a 95% confidence interval of between 6.1% and 9.5%) of people aged 60 and over living in England are estimated to be living in fuel poor households. Households with members aged both below 60 and 60 or over are assumed to only have one person aged 60 and over living in them; this may lead to an underestimation of the number of people aged 60 and over living in fuel poor households.

Private renters across England and Wales need the Government to show ambition to address the scale of cold homes. Tenants should expect that their accommodation meets the highest possible standards for efficiency, regardless of the age of the property, their age, or how long they have lived there. The proposed regulations are also equally important so that Government can meet the target for all fuel poor homes to reach a level of EPC C by the end of 2030 in England<sup>7</sup>.

The government have also reaffirmed their commitments in the Energy White Paper to a Social Housing Decarbonisation Fund<sup>8</sup>. We support Net Zero by 2050 but today's politicians and decision-makers will not be held accountable for targets set at dates long after they have retired. To improve the outcomes of current and future private tenants, and reduce carbon emissions, we need to hold this government to account for setting more ambitious interim targets such as the ones proposed by the consultation

### **Warm Homes Discount Scheme**

A crucial aspect of tackling fuel poverty is supporting those who are missing out on other sources of financial and practical support. For instance, improving the baseline of all PRS homes to EPC Band C can help support some of the 660,000 older people eligible for the Guarantee Element of Pension Credit that are not receiving it<sup>9</sup>. We believe that these are some of the most vulnerable older people, given that they are eligible for a low-income benefit they are not claiming. Eligibility for the Warm Home Discount Scheme's Core Group is dependent on claiming this part of Pension Credit, which means these older people are likely to miss out on a much needed £140 rebate off their energy bills every winter. We are very pleased the Energy White Paper has proposed extending the Warm Homes Discount Scheme till 2026<sup>10</sup>. Further work is still needed to ensure more older people at risk of fuel poverty receive the rebate automatically.

### **Working with local authorities**

There is also the need for older renters to be able to benefit from home improvements. Only seven per cent of Disabled Facilities Grants for home adaptations are allocated to private tenants<sup>11</sup>. Older renters who need to move to more suitable housing are often restricted by limited housing options, primarily because of the decline in social rented and supported housing. Whilst not in the scope of this consultation, the Government should increase the take-up of Disabled Facilities Grant for older private tenants by establishing long-term secure tenancies and promoting grants, assistance and advice to both landlords and tenants.

The proposed regulations can only be effective if they sit alongside a robust programme of engagement, supervision, and enforcement by local authorities, which is appropriately resourced by central government. The majority of landlords want to let properties at the highest standards and we need councils to work proactively with them to achieve this. Research commissioned by the Committee on Fuel Poverty, said that landlord registration and licensing is "the most practical means of identifying landlords who currently lack an EPC on a proactive basis, rather than waiting for tenants to raise complaints"<sup>12</sup>. Fees for compulsory registration which were retained by local authorities would also provide them with the additional revenue needed to enforce PRS regulations.

### **Raising public awareness**

The Government will also need to fund a public awareness campaign to improve understanding of tenants' rights under the proposed PRS regulations. This campaign should be delivered in partnership with local agencies, charities, and community groups. Even when tenants are informed of the regulations, many will still be reluctant to seek redress against a non-compliant landlord. Concerns about possible eviction or rent increases will lead to many not demanding their landlord make the necessary improvements. Older people, as most tenants do, greatly value security of tenure, particularly if they have lived at a property for a considerable period and it is situated near

to sources of public and private support, services, and amenities. The abolition of Section 21 evictions will help ameliorate these concerns. Not only does limited security of tenure fail to offer older people stability and the opportunity to put down roots, but it has implications for their ability to tackle sub-standard and inaccessible housing conditions. Reducing tenant 'churn' may also incentivise landlords to invest in their properties.

**The following messages were received by Age UK's national advice line between June – December 2020. They have been edited for length and clarity and with identifying information removed.**

*"I have lived for nearly 30 years in a 19<sup>th</sup> century detached house. The house is pretty basic but has a very reasonable rent. I am wondering if there are any grants available for insulation and heating that might apply to me? The landlord fitted double glazing a few years ago, but there is little or no insulation and only open coal fires, winters get pretty chilly! I can't afford to put heating in myself, and if I ask the landlord, I know he will need to increase the rent to cover installation costs. My husband and I are both in our 70's and receive the basic state pension."*

*"I am trying to find a government grant to upgrade the heating in my mum's cold rented 1960's property. It has little to no insulation and uses inefficient storage heaters. Every grant I come across they do not qualify for. I am hoping you could offer some guidance as to how I could help them get ideally central heating or heating improvements."*

*"I am writing to you to get some advice about an issue I am having with a lettings agency and the rental property of my elderly grandmother. I fear they are taking advantage of her. I have tried to speak to the agency about several issues she is currently facing but they do not seem to be addressing any of these with the level of urgency that they should. A member of the agency came round yesterday to assess some of the issues, the biggest one being that she has a severe damp issue in the flat and a boiler that doesn't work. Despite all the clear evidence of this, he was completely adamant that there was no damp issue in the property. I have taken a few pictures of this which I could email over. Over the last couple of years, she has developed a respiratory issue which she has been in hospital for. We have raised these issues in the past in person and over the phone, but they simply deny any prior knowledge of these conversations."*

*"We have lived in a rented house for more than 20 years, the landlord told us last autumn we had to be responsible for heating repairs or the rent would be increased by a further £200. My husband is in his nineties and I am in my eighties; on crutches, diabetic and have cancer. We paid a plumber nearly £700 to clean our radiators and put in new controls but he died before the work could be completed. We have not had heating since September 2019. We have no car, no money, and we are very very cold. My husband has cognitive problems and has lost over a stone in the last few weeks. Can you please suggest a very cheap plumber?"*

**Question 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.**

It is right that government is proposing new regulations to improve the lives of 900,000 low-income households at risk of fuel poverty. The need to retrofit existing homes has been clearly demonstrated by the government and housing experts. There are a multitude of factors that impact the size of local, regional, and national PRS's, including the number of new homes being built, and home ownership rates among the local population. Enhanced regulations will help future-proof housing stock and maintain supply, regardless of whether homes remain in the PRS or not, and with only a limited impact on the size of the PRS market.

The scale of the problem that needs to be addressed is demonstrated by the fact that around 67 per cent of properties in the PRS are rated below EPC Band C. Minimum Energy Efficiency Standards (MEES) have already been in place for several years and other experts will be able to determine their impact on the size of the PRS. However, it seems unlikely that the proposals, some of which will not be enforced for over seven years, will have a drastic negative impact on the size of the market. There may be concerns that some landlords will turn PRS properties into short-term and holiday rentals on platforms like Airbnb. We would urge BEIS and MHCLG to consider how the rise in these online platforms, has and is expected to impact, the size of the PRS.

It is understandable that some landlords and their representatives will see the proposed regulations as onerous, but these changes have been designed to support some of the most vulnerable households in England and Wales. Inefficient homes are an example of non-decent accommodation and we must question whether we want landlords that are prepared to let substandard properties. In social care there is the 'mum test' – would you want your mum to receive care in this manner or setting? If the answer is no, then it is not suitable. The same principles should exist in the PRS, if a landlord would not wish their mother to live in a cold and inefficient home then it should not be let. Ultimately both tenants and landlords will value security of tenure - tenants want it so they are assured of their housing situation and landlords, so they too are assured of continual rental income.

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

Although there are many factors influencing rent levels, there may be some increase as a result of the investment that landlords are making in their properties. If improvements have the desired impact of improving energy efficiency, then any proportionate increases in rent should be negated by tenants saving on fuel bills.

**Question 3: 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.**

Amidst continued uncertainty, it is still challenging to predict how Covid-19 will impact the policy's partial implementation from 2025. Both tenants and landlords have been affected by the pandemic. We expect many older people will have been forced to retire earlier than expected, and doing so on a lower income, with a smaller pension, and with more financial commitments and existing debt. Any future recessions or even depressions, and further rises in unemployment will likely increase rents arrears to landlords. Government and regulators must also be mindful of accumulation of other household debt, particularly energy arrears. However, we are hopeful that the proposals will help lower bills and therefore the amount and extent of energy debt.

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

Age UK supports the proposed target but believes that future regulation will need to see PRS properties improved beyond EER C to realise all the government's stated aims of improving energy efficiency within homes.

**Question 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.**

We support the use of EER and EPC to assess a home's efficiency. These certifications are likely to be better known and understood by the public, having been in use for many years. Using these certifications should mean the proposals are easier to administer – provided the changes recommended in the EPC Action Plan<sup>13</sup> are implemented. It also needs to be incumbent on landlords to get new certifications after any work is completed, and for local authorities to audit PRS properties to ensure they are at the declared standard.

**Question 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.**

We support the proposals as they demonstrate a realistic level of ambition to ensure compliance and help achieve the 2030 fuel poverty target two years before its completion date<sup>3</sup>. However, we want government and local authorities to work with and incentivise landlords to improve the homes of at-risk tenant groups like older people, as soon as possible. A multi-agency approach can be used to identify tenants most in need of home improvements. Older tenants may likely be in existing tenancies and should not expect to wait potentially over seven years until the regulations are enforced. We need to see near-enough full compliance by 2028, with that date not just being the start of enforcement processes which could result in properties not being upgraded till months and years after.

**Question 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.**

We support increasing the cost cap to £15,000, inclusive of VAT, to support the 2030 fuel poverty target and ensure more of the least efficient homes are upgraded. The impact assessment published alongside the consultation considers the implications of a £15,000 cost cap. It estimates that on average, landlords would actually only pay £5,300, nearly a third of the cost cap per property. On average, this would equate to £600 more than if the cost cap were set at £10,000. Increasing the cap to £15,000 would result in an additional 60,000 households reaching EPC C by 2028 across England and Wales compared to the £10,000 cost cap. While a £10,000 price cap leads to only around ten per cent of EPC F&G PRS properties reaching EPC C by 2028, a £15,000 cap would result in almost 30 per cent of these properties reaching EPC C. These households are where the most acute fuel poverty is felt, with energy bills frequently topping £2,000.

**Question 8: Should the £10,000 cost cap be adjusted for inflation?**

The cost cap should be adjusted in line with inflation, particularly considering current economic uncertainty due to the pandemic and Brexit.

**Question 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.**

---

<sup>3</sup> In 2014, the government introduced in legislation a fuel poverty target for England to improve as many fuel poor homes as is reasonably practicable to a minimum energy efficiency rating of Band C, by the end of 2030

We support a fabric first approach to improving efficiency. However, a requirement that insulation be installed first seems extremely challenging to enforce and create many logistical difficulties. Many leaseholder landlords will find it challenging to get the agreement of the freeholder(s) to undertake necessary works. There are also concerns that insulation of solid wall properties will require the size of the habitable living space to be reduced. The amount of disruption will also be a key factor for many older tenants agreeing to work being undertaken. Whilst the consultation document notes that the lead policy proposal “strikes the best balance between the different priorities of cost, emissions savings and fuel poverty goals”, due consideration also needs to be given to the practicalities of achieving these goals.

The regulatory guidelines must provide key advice on how it can be achieved. Landlords could be supported by extending the 5 per cent VAT eligibility on energy saving products to all PRS landlords<sup>14</sup>.

**Question 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.**

**Question 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.**

Age UK does not support the implementation of an affordability exemption. Whilst we appreciate that there are a proportion of landlords making small profits from their rental properties, administering and enforcing this exemption cannot be a priority for stretched local authorities. If landlords were found to have falsely claimed for an exemption, then it would be incumbent on councils to seek recourse against them. There are also concerns about any loopholes that could be used to claim for an exemption by masking true rental returns. Landlords that are receiving a low-level of return from their rental properties should be directed to sources of third-party financial assistance such as grants, low-interest borrowing and potential VAT reductions on energy efficiency measures. If we are seeing as the consultation document notes, an increase in landlords renting multiple properties, then it is right that regulations are amended to better reflect this ‘commercialisation’ of the PRS.

The government could also consider reintroduction of the Landlord Energy Saving Allowance (LESA). This had the aim of encouraging landlords to improve the energy efficiency of their properties by providing a maximum tax allowance<sup>15</sup> of £1,500 per dwelling. Landlords could claim the allowance against the costs of buying and installing cavity wall, loft, solid wall, floor and hot water system insulation and draught-proofing. A £1,500 tax allowance would also equate to ten per cent of our proposed £15,000 cost cap.

If the Government do choose to implement an affordability exemption for the extension of MEES, then this must be consulted on fully.

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

Ensuring the quality of completed works is desirable and would bring the regulations in line with requirements for the Green Homes Grants and ECO. However, there appears to be no precedent to asking private landlords to use their own money to ensure work is completed to a desired standard. The Green Homes Grants, ECO and other programmes use government or cross-subsidised funding to improve homes.



If the government does require upgrades to be completed by TrustMark accredited installers, then this must be incentivised through VAT reductions, tax allowances or other sources of support. The Government must also assess how the TrustMark requirement for the Green Homes Grants has worked and whether it might favour larger firms over smaller tradespeople who have greater capacity to fulfil the compliance costs and administration. We need to ensure that there is enough capacity within the building trade to ensure this ambitious programme is achievable.

**Question 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?**

The pandemic has shown the value in using smart prepay, over older pre-payment meters (PPMs), as they can be topped-up remotely, and help assess whether homes might be self-disconnecting from their supply. All PRS homes using PPMs should be moved over to smart prepay in the first instance before hopefully moving to a credit meter which is a much more affordable way of paying for your energy. Energy suppliers should target customers known to be in the PRS for a smart meter installation. Government could also consider further requirements, such as for installation of a smart meter being a condition of letting a new tenancy.

**Question 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.**

The ultimate intention of PRS regulations must be improving properties to the highest levels of efficiency. Improving the quality of the PRS will require constant consideration of how further improvements can be made beyond EPC band C.

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

The government and local authorities should work with landlords and their representatives to promote any new regulations. Councils should hold landlord and tenant fairs and seminars for HMO licensees, new landlords and for those receiving and paying for rent via Housing Benefit. Other opportunities to promote the regulations are:

- When a tenant receives energy advice through the either the Warm Home Discount scheme or other schemes with Ofgem oversight such as the upcoming use it or lose it allowance for Gas Distribution Networks (GDNs).
- When applying for or approached to take part in schemes, such as ECO and the Green Homes Grant.

**Question 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?**

A national mandatory landlord database already exists in Wales and a similar system covering compliance and exemptions should be introduced in England. The registration fee should only count towards a cost cap if it is set at £15,000.

**Question 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?**

We do not believe that the Government should set a maximum total registration fee for landlords with multiple properties. Every rental property should be required to be registered for the relatively modest proposed £30 fee which reflects the costs of providing appropriate accommodation to tenants.

**Question 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.**

Age UK supports the implementation of primary legislation which would require letting agents and online property platforms to only advertise and let properties compliant with the PRS Regulations. This change in the law will help normalise perspective tenants understanding about the efficiency of a property and allow them to better benchmark suitable homes.

**Question 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.**

Age UK supports the proposal.

**Question 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?**

Age UK does not have a specific view on how high a fine to letting agents should be but recommend that BEIS consider the average fees charged by agents per property when deciding whether the extent to which it should be increased. Average monthly rental income received by landlords should also be considered.

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

Age UK supports the proposal.

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

We support the proposal so that local authorities can collate as much evidence as possible about the characteristics of their PRS. This data can help better target financial and practical support to households, as well as for example, help health bodies to understand the impact of (poor) housing on health outcomes.

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

We support a requirement for post-improvement EPCs and for the cost to be included within the cost cap. We hope this will reduce instances of any fraudulently listed EPCs for properties which have not been appropriately assessed.

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

All rental properties should have a valid EPC whilst being let. However, unless a local authority has deemed a property not fit for human habitation, then we do not want tenants to be evicted whilst their landlord takes steps to secure an EPC.

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

All residential properties should be legally required to have an EPC, even if they are exempt from the proposals for all PRS homes to meet EPC Band C by 2028.

**Question 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.**

Age UK supports the increase of the maximum fine level to £30,000 per property, with that figure being adjusted for inflation. Due to the proposed increase to the cost cap for improvements, it is right that the maximum fine also increases to provide a necessary deterrence against breaches of the regulations. An increased fine also reflects the appropriate seriousness for landlords to let properties to the required standard. As the proposed changes will not come into effect until 2025 and 2028, this provides ample time for landlords to demonstrate compliance.

**Question 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 government should introduce powers for tenants to request that landlords carry out energy performance improvements. We would propose that landlords that are still in breach of regulations six months after the request has been lodged, would be liable to refund their tenant(s) 50 per cent of their rent until the property meets the required standards.

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

Whilst local authorities need to be held accountable for their enforcement of PRS regulations, it is not clear whether publicly available benchmarking statistics are the solution to addressing the problem. There will be a myriad of factors that influence council's ability to improve the quality of their local PRS sector including the age and design of many properties, the rental income generated by landlords, and the resources of the authority to enforce regulations. Government needs to be working with representatives of local government like the Local Government Association (LGA) to improve the quality of PRS supervision and enforcement and ultimately the quality of housing stock. Councils may benefit from peer-reviewed evaluations of their enforcement with high-performing areas sharing their knowledge about what works with other authorities.

**Question 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.**

Age UK supports the updated exemption regime coming into force on the 1 April 2025 and for the property compliance and exemptions database to be opened six months prior.

**Question 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.**

We support this proposal so that there is clarity over a landlord’s responsibilities.

- 
- <sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/945376/2019-20\\_EHS\\_Headline\\_Report\\_Section\\_1\\_Households\\_Annex\\_Tables\\_.xlsx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945376/2019-20_EHS_Headline_Report_Section_1_Households_Annex_Tables_.xlsx)
  - <sup>2</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/bulletins/excess-wintermortalityinenglandandwales/2019to2020provisionaland2018to2019final>
  - <sup>3</sup><https://www.bre.co.uk/filelibrary/pdf/87741-Cost-of-Poor-Housing-Briefing-Paper-v3.pdf>
  - <sup>4</sup><https://www.ageuk.org.uk/Documents/EN-GB/For-professionals/Housing/Ageing%20in%20squalor%20and%20distress%20report,%20October%202016.pdf?dtrk=true>
  - <sup>5</sup><https://www.ageuk.org.uk/wp-assets/globalassets/london/documents/older-private-renters/living-in-fear.pdf>
  - <sup>6</sup><https://www.ageuk.org.uk/services/in-your-area/warm-homes/>
  - <sup>7</sup><https://www.gov.uk/government/consultations/fuel-poverty-strategy-for-england>
  - <sup>8</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/943807/201214\\_BEIS\\_EWP\\_Command\\_Paper\\_LR.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/943807/201214_BEIS_EWP_Command_Paper_LR.pdf)
  - <sup>9</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/867976/pension-credit-tables-2017-2018.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/867976/pension-credit-tables-2017-2018.ods)
  - <sup>10</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/943807/201214\\_BEIS\\_EWP\\_Command\\_Paper\\_LR.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/943807/201214_BEIS_EWP_Command_Paper_LR.pdf)
  - <sup>11</sup><https://researchbriefings.files.parliament.uk/documents/SN03011/SN03011.pdf>
  - <sup>12</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825485/enforcing-enhancement-energy-efficiency-regulations-English-private-rented-sector.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825485/enforcing-enhancement-energy-efficiency-regulations-English-private-rented-sector.pdf)
  - <sup>13</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/922660/EPC\\_Action\\_Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/922660/EPC_Action_Plan.pdf)
  - <sup>14</sup><https://www.gov.uk/tax-on-shopping/energy-saving-products>