

9. Landlords, fuel, repairs and improvements

Many tenants don't report problems, request improvements, or even question bills, **for fear of eviction**. If you have a genuine complaint which has been verified by the local authority, and the landlord has failed to respond, it is now illegal – in theory – for landlords to use the “no-fault eviction” procedure against you. Eviction also requires a court order. However, you must know your rights and be able to defend them or you could be out on the street, especially if you have a private or insecure tenancy.

Moreover, some tenants can face increased rents after “improvements”. So it is important to get help and advice on this.

Tenants and residents associations and housing rights groups are usually the best way to deal with landlords. If you are on an estate, and don't have a functional residents association, try talking to your neighbours, and contact outside help. You can also try to get support from an advice agency and your MP. In London, the London Renters Union is helping to develop local support networks that may be able to help, alongside other groups mentioned below, and the Radical Housing Network may be able to put you in touch with local housing action groups. Fuel Poverty Action may be able to help find people to support you. You should always consider alternatives and organise outside support before challenging a landlord, especially a private one.

There is a network of people prepared to help each other **prevent evictions**. If you need help on the doorstep, or are ready to help others in that situation, please get in touch with Radical Housing Network (London), Hands off Our Homes (Leeds), Digs (Hackney), Housing Action Southwark and Lambeth, Focus E15, London Renters Union.

Landlords are not allowed to profit from supplying energy, including by prepayment meters. The maximum charge allowed for them to sell on gas or electricity is the same as the amount they pay the energy company. **However, they are allowed to recover charges for maintenance and upkeep of supply**

and for admin e.g. reading meters, and this is not covered by the maximum resale price. You, or a tenants association, can ask for a breakdown of the costs or even to see the bills they pay. If there's more than one tenant in a property, they have to explain how the individual costs are calculated, including for common areas as well.

Draughty or damp rented home? What are your rights?

“Improvements”

In theory, landlords are obliged to make “repairs” to the structure of the building (roof, floors, walls, plumbing, gas and electric appliances). However energy efficiency measures like more insulation, draughtproofing, ventilation, double glazing and sometimes a better boiler are classed as “improvements” not “repairs”. Landlords have to get **“improvements”** done in the following situations:

- If the property's Energy Efficiency Performance is extremely poor (EPC Band F or G) – but there are loopholes, and cost limits on what they would have to pay.
- If the local authority has served a notice on a private landlord or Housing Association because of a hazard to health, e.g. from cold or severe damp and mould. This includes damp and mould due to condensation, which is NOT the tenant's fault, whatever you have been told! If the landlord or Housing Association don't do the work on time, as ordered, the Council can prosecute them, or can do the work themselves and take the landlord to court for the costs. Of course with cuts in Council funding this often doesn't happen. However if there is judged to be a “Category 1” hazard the Council is legally obliged to act.

New legislation is likely to be passed in 2018: the Homes (Fitness for Human Habitation) Bill. If passed, this will **change landlord obligations** towards problems which arise due to inherent defects in a property, such as inadequate ventilation which causes **damp**. It would also mean tenants can **take their landlord to court directly** if the property does not meet minimum standards.

Private renters in England and Wales can carry out energy efficiency improvements themselves, with a landlord's permission, and the landlord can't unreasonably refuse. But you must organize funding yourself (see Section 11).