



## The National HMO Network Conference

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## Statistics



- **HHSRS**
- 2008 • 171
- 2009 • 153
- 2010 • 207
- 2011 to date • 111
- **HMO**
- 2008 • 60
- 2009 • 58
- 2010 • 59
- **2011** • 43

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## Statistics



### EDMO

- 2008 • 22
- 2009 • 18
- 2010 • 21
- 2011 • 28

### MO

- 2008-2011 to date • 9

### Overcrowding

- 2008-2011 to date • 2

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## HHSRS



- Types of cases received
  - Improvement notices
  - Prohibition orders
  - Demolition orders
  - 132 Plashet Road London E13 0QS (LON/00BB/HPO/2012/0011)
- Mediation and settlements

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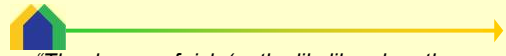
## Emergency Action



- Luton Borough Council v Universal Group HA/6/2007
- Bolton MBC v Patel HA/6/2009

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## Bolton v Patel



*“The degree of risk (or the likelihood, or the chance) that a state of affairs may give rise to an incidence of harm is necessarily time-related....The use of “imminent” implies...a good chance that harm will be suffered in the near future. I can see nothing wrong in the RPT’s statement that imminent “conveys a sense of urgency – that there is a good chance that the harm in question may be about to occur”*

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## Excess Cold and the Role of the Expert Tribunal



- Bristol City Council v Aldford Two LLP [2011] UKUT 130; HA/5/2010
- Tenants had no complaint about the heating
- Tribunal members observation that at the time of inspection property seemed warm
- Own knowledge and inspection of many similar properties

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## Excess Cold – Cost of heating



- *Liverpool City Council v Kassim* [2012] UKUT 169; HA/3/2011
- “If heating systems are prohibitively expensive to use, I consider that the occupants of the property will not use them or will restrict their use thus resulting in the effects of Excess Cold which the HHSRS is aiming to address”

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## Upper Tribunal



- That...properly identifies the potential relevance of the cost of running a heating system. An occupier could be deterred by cost from using a heating system..It is clearly a matter of potential relevance
- ...the question has to be addressed by reference to the vulnerable group, those over 65...To the extent that the over 65 population is generally less well-off than the younger working population, that fact is...relevant.

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## Building Regulations



- *Hanley v Tameside Metropolitan Borough Council* [2010] UKUT 351; HA/7/2009
- Compliance with Building Regulations is a material consideration
- It is possible for a hazard under HHSRS to be building regs complaint

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## Tribunal Service – Property Chamber



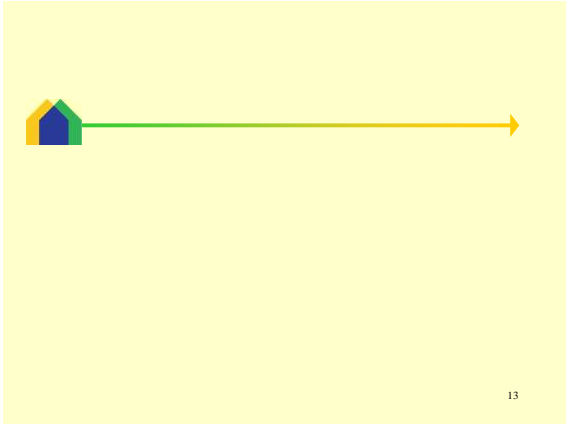
- May 2013
- New Structure
- New Regulations
- Appeals and Reviews
- Costs in Upper Tier Tribunal

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## QUESTIONS



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