Private Rented Sector and Housing Standards Enforcement Policy

Sandwell Metropolitan Borough Council

Document title	Private Rented Sector and Housing Standards Enforcement Policy
Owner	Private Rental Sector and Housing Standards Team
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Purpose	The purpose of this policy is to set out Sandwell Council's approach to enforcing housing standards in the private rented sector. It explains how the Council will exercise its statutory enforcement powers, including new powers introduced under the Renters' Rights Act, and how civil financial penalties will be applied, calculated and governed to ensure enforcement action is lawful, proportionate, consistent and transparent. The policy confirms revised and new civil penalty levels for offences under the Housing Act 2004, the Management of Houses in Multiple Occupation (England) Regulations 2006, the Renters' Rights Act 2025 and other relevant housing legislation.

Contents

1. Purpose

1.1 The purpose of this Enforcement Policy is to set out Sandwell Council's approach to the use of civil financial penalties as an enforcement tool in the private rented sector.

1.2 This policy explains how and when civil penalties will be used, how penalty levels are calculated, and the governance arrangements that apply.

1.3 The intended audience for this document includes elected members, senior managers, enforcement officers, partner agencies, landlords, managing agents, tenants, occupiers and members of the public who may be affected by enforcement action.

1.4 This policy has been produced to provide clarity, transparency and consistency in the Council's enforcement activity, particularly following the expansion of enforcement duties and civil penalty powers, including increases in penalty levels for certain offences introduced under the Renters' Rights Act 2025.

1.5 The context for this policy is the Council's statutory duty to enforce housing legislation, protect tenants from poor or unsafe housing conditions and unlawful practices, and regulate the private rented sector in a fair, proportionate and effective manner.

1.6 This policy sets out the principles that underpin enforcement decision-making and explains how civil penalties fit within the Council's wider enforcement framework, ensuring that enforcement action is lawful, evidence-based, transparent and defensible.

1.7 The outcomes of this policy are to:

- ensure civil penalties are applied consistently and in line with statutory guidance;
- provide a clear framework for calculating penalty levels, including starting points, adjustments and statutory limits;
- support effective deterrence against non-compliance and repeat offending;

- ensure enforcement decisions are transparent, proportionate and appropriately governed.

1.8 These outcomes will be measured through:
- consistency of enforcement decisions across cases;
- compliance with statutory guidance and legal requirements;
- monitoring of appeal outcomes and challenges;
- review of enforcement performance and effectiveness in improving compliance within the private rented sector.

2. Scope

2.1 This policy applies to all enforcement activity undertaken by Sandwell Council in relation to the private rented sector.

2.2 It applies to landlords, property owners, managing agents, tenants, occupiers, and any other persons or organisations subject to housing enforcement action.

2.3 The policy covers enforcement activity and the use of civil financial penalties under housing legislation, associated regulations, and the Renters' Rights Act 2025.

3. What is Private Sector Housing Standards Enforcement to Sandwell Council?

3.1 For the purposes of this policy, the following terms are used:

3.2 **Civil Financial Penalty**
A monetary penalty imposed by the council as an alternative to prosecution for specified housing offences, in accordance with statutory powers and guidance.

3.3 **Enforcement**
The use of legal powers available to the council to secure compliance with housing legislation, protect occupiers, and address unlawful or unsafe practices in the private rented sector.

3.4 **Starting Point**
The base financial amount applied when calculating a civil penalty, determined by the type and seriousness of the offence and, where applicable, previous relevant offences, before any adjustments are made.

3.5 **Aggravating Factors**
Factors that increase the seriousness of an offence and justify an increase in the penalty amount, such as deliberate non-compliance, repeat offending, risk of harm, or vulnerable occupants.

3.6 **Mitigating Factors**
Factors that may justify a reduction in the penalty amount, including evidence of genuine financial hardship or prompt remedial action, provided the deterrent effect is not undermined.

3.7 **Statutory Maximum**
The maximum financial penalty that may be imposed for a single offence, as set out in legislation.

3.8 **Renters' Rights Act Offence**
A breach of duties or requirements introduced under the Renters' Rights Act for which the council has a statutory duty or power to take enforcement action, including the imposition of civil penalties.

3.9 **Panel**
The council's internal decision-making body responsible for reviewing evidence, applying this policy, and determining whether a civil penalty should be imposed, varied or withdrawn.

4. Policy Statement

4.1 Sandwell Council is committed to securing compliance with housing legislation through fair, proportionate and effective enforcement. Civil financial penalties will be used as an enforcement tool where this is lawful, appropriate and in the public interest.

Civil penalties will be applied to:

- address noncompliance with housing legislation;

- deter repeat and deliberate offending;
- remove financial benefit gained from unlawful activity;
- support the effective regulation of the private rented sector.

4.2 Civil financial penalties may be imposed as an alternative to prosecution for relevant housing offences where legislation allows.

4.3 A civil penalty is applied per responsible person or legal entity, not per property. Where an offence is committed by more than one responsible person (for example, where a property is jointly owned or managed), each person may be subject to a civil penalty for the full offence. Penalties are not reduced or divided between responsible persons, and joint responsibility does not result in a shared or apportioned penalty. This ensures that civil penalties remain an effective deterrent and that responsibility for compliance cannot be reduced by ownership or management arrangements.

4.4 This includes, but is not limited to, offences under:
- the Housing Act 2004;
- the Housing and Planning Act 2016;
- the Management of Houses in Multiple Occupation (England) Regulations 2006;
- the Smoke and Carbon Monoxide Alarm (England) Regulations;
- the Energy Efficiency (Private Rented Property) (England and Wales) Regulations;
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- the Renters' Rights Act.

4.5 Civil penalties may be used in relation to:
- operating an unlicensed HMO;
- breaches of HMO licence conditions;
- failure to comply with Improvement Notices;
- failure to comply with the Management of Houses in Multiple Occupation (England) Regulations 2006, including duties relating to fire safety, maintenance of common parts, provision of amenities, management information, and overall standards of management;

- failure to comply with requirements relating to smoke alarms and carbon monoxide alarms, including failure to install, test or maintain required alarms;
- failure to comply with minimum energy efficiency standards, including letting a property with an Energy Performance Certificate rating below the legal minimum or failing to comply with compliance or exemption requirements;
- failure to failure to ensure that electrical installations are inspected and tested at least every five years and failure to obtain or provide a valid Electrical Installation Condition Report (EICR).
- failure to produce documents, information or records when lawfully required to do so under section 235 of the Housing Act 2004, including documents relating to ownership, management, occupation, tenancy arrangements, safety certification or compliance;
- offences arising under the Renters’ Rights Act, including unlawful eviction, harassment, discrimination, rental bidding and other prohibited practices.

4.6 The decision to impose a civil financial penalty will be based on consideration of:

- the seriousness of the offence;
- the level of harm or risk to occupiers or the wider community;
- the conduct of the landlord or responsible person;
- any history of non-compliance or previous enforcement action;
- the need for deterrence and the protection of tenants.

4.7 Duty to enforce

In respect of duties introduced under the Renters’ Rights Act, the authority will take a proactive approach to identifying and enforcing breaches, reflecting the statutory expectation to take action where non-compliance is identified.

4.8 **Enforcement Process**

The Civil Penalties and Enforcement Policy is supported by a clear, staged enforcement process that ensures action is proportionate, evidence-led and compliant with statutory guidance and the Regulators’ Code.

4.9 **Initial Enquiry and Triage**

Enforcement activity may be triggered by complaints from tenants or residents, referrals from partner agencies, intelligence gathered by officers, or proactive inspection activity. All matters are subject to an initial triage process to assess risk, urgency, and the most appropriate response.

Where appropriate, early engagement and advice may be provided to support compliance, unless the circumstances indicate that immediate or formal enforcement action is required.

4.10 **Investigation**

Where concerns cannot be resolved informally, or where the nature of the issue warrants escalation, a formal investigation is undertaken. This may include site inspections, evidence gathering, requests for documentation, and assessment against relevant legal standards such as HHSRS, licensing requirements, safety regulations, or duties under the Renters’ Rights Act.

Investigations are evidence-led and proportionate to the level of risk and harm identified.

4.11 **Formal Notices and Compliance Opportunities**

Where legislation requires, or where it is appropriate to do so, formal notices may be served setting out legal requirements and timescales for compliance. Failure to comply with statutory notices, or the identification of certain offences, may lead to consideration of further enforcement action, including civil financial penalties.

4.12 **Panel Consideration**

Before a civil financial penalty is imposed, cases are referred to a decision-making panel. The panel reviews the evidence, the nature and seriousness of the offence, compliance history, aggravating and mitigating factors, and the application of the council's penalty calculation framework.

This panel-led approach provides governance, consistency and independence in enforcement decision-making.

4.13 **Notice of Intent**
Here the panel determines that a civil financial penalty is appropriate, a Notice of Intent is issued to the responsible person. This sets out the proposed penalty amount, the reasons for the decision, and the right to make representations within the statutory period.

4.14 **Consideration of Representations and Final Decision**
Any representations received are carefully considered before a final decision is made. Following this review, the panel may confirm, vary or withdraw the proposed penalty. A Final Notice is then issued where appropriate.

4.15 **Offences that may be dealt with by way of imposing a financial penalty**

- The starting point for a financial penalty is based on the number of previous convictions or imposition of a financial penalty for the same type of offence in the previous four years.
- After the starting point has been determined, relevant Premiums are added to the starting amount to determine the full financial penalty to be imposed
- No single financial penalty may be over £40,000 (or £30,000 where the limit is lower). Where the addition of all relevant premiums would put the penalty above the maximum, it shall be capped at the maximum set amount.

Second subsequent offence by same person/company

- The council will take into account any such convictions or financial penalties irrespective of the locality to which the offence relates.

Continuing breaches

- Where a breach or failure continues over a period of time, or where the same or similar breach occurs repeatedly, the authority may consider each instance as a separate breach or offence where permitted by legislation. The authority may also take into account ongoing non-compliance when determining the level of penalty, including increasing the penalty amount or pursuing further enforcement action.

Large housing portfolio (10+ units of accommodation)

- The premium is applied where the perpetrator has control or manages of 10 or more units of accommodation.
- For the purposes of this premium, the definition of a person having control and person managing are as defined by Housing Act 2004 Section 263.

Multiple Category 1 or high Category 2 Hazards

- This premium will apply where the failure to comply with the Improvement Notice relates to three or more Category 1 or high scoring Category 2 hazards associated with different building deficiencies. For the avoidance of doubt this means that where two hazards are present but relate to the same property defect, they are counted as one hazard for purposes of this calculation.
- For the purpose of this premium, a high scoring category 2 hazard is defined as one scored following the Housing Health and Safety Rating System as “D” or “E”.

Vulnerable occupant and/or significant harm occurred as result of housing conditions

- This premium will be applied once if either the property is occupied by a vulnerable person or if significant harm has occurred as a result of the housing conditions.
- or purposes of this premium a vulnerable person is defined as someone who forms part of a vulnerable group under Housing Health and Safety Rating System relating to hazards present in the property or an occupant or group of occupants considered by the council to be at particular risk of harm that the perpetrator ought to have had regard.

- or purposes of this premium, significant harm is defined as physical or mental illness or injury that corresponds to one of the four classes of harm under the Housing Health and Safety Rating System Operating Guidance.

At the time of publication this document can be found at www.gov.uk and a summary table is below.

Hazard	**Vulnerable age group (age of occupant)**
Damp and mould growth	14 and under
Excess Cold	65 or over
Excess Heat	65 or over
Carbon Monoxide	65 or over
Lead	under 3 years
Personal Hygiene, Sanitation and Drainage	under 5 years
Falls associated with baths etc.	60 or over
Falling on level surfaces etc.	60 or over
Falling on stairs etc.	60 or over
falling between levels	under 5 years
Electrical hazards	under 5 years
Fire	60 or over
Flames, hot surfaces etc.	under 5 years
Collision and entrapment	under 5 years
Collision and entrapment - low headroom	16 or over
Position and operability of amenities etc.	60 r over

4.16 **Appeals**

Recipients of a civil financial penalty have a statutory right of appeal to the appropriate tribunal. Information about appeal rights is clearly set out in the Final Notice. The council ensures that appeal routes are transparent and that decision-making is fully evidenced and recorded.

5. Development of Policy

5.1 This policy has been developed by the Private Rented Sector and Housing Standards Service to support the implementation of new statutory enforcement powers introduced through recent housing legislation, including the Renters' Rights Act.

5.2 Those involved in the development of this policy include officers and managers responsible for housing enforcement, regulatory decision-making and governance. The policy reflects statutory guidance, operational requirements and established enforcement principles to ensure the council is able to lawfully, consistently and effectively discharge its enforcement duties.

5.3 The policy does not create new powers. Instead, it sets out the council's approach to exercising statutory enforcement powers that Parliament has introduced and which the council is required to implement.

5.4 This policy has not been subject to public consultation. The Renters' Rights Act introduces new enforcement powers and, in certain areas, places a statutory duty on local authorities to enforce compliance. The council does not have discretion over whether these powers exist or whether enforcement is required.

5.5 The purpose of this policy is therefore not to consult on the introduction of enforcement powers, but to provide clarity and transparency on how the council will apply those powers in practice, including how civil financial penalties will be calculated and governed.

5.6 Engagement with landlords, tenants and other stakeholders will continue through operational guidance, communications and day-to-day enforcement activity to support compliance and understanding of the new legal requirements.

6. Related Documents

6.1 This Enforcement Policy should be read in conjunction with the following documents, which together set out the council's statutory duties, regulatory framework and operational approach to housing enforcement:

- Private Rented Sector and Housing Standards Unit Plan

- Regulators’ Code (Legislative and Regulatory Reform Act 2006)
- Government Statutory Guidance on Civil Penalties for Housing Offences
- Government Guidance on Enforcement under the Renters’ Rights Act
- Housing Health and Safety Rating System (HHSRS) Operating Guidance and Enforcement Guidance (Housing Act 2004)

7. Legal Framework

7.1 This Enforcement Policy is based on, and must be applied in accordance with, the relevant housing legislation, statutory guidance, and regulatory principles that govern the council’s enforcement duties in the private rented sector.

7.2 The primary legal framework includes, but is not limited to:

- the Housing Act 2004, including provisions relating to HHSRS, licensing, enforcement powers, civil penalties and information-gathering;
- the Housing and Planning Act 2016, including provisions relating to civil financial penalties and enforcement options;
- the Management of Houses in Multiple Occupation (England) Regulations 2006;
- the Smoke and Carbon Monoxide Alarm (England) Regulations;
- the Energy Efficiency (Private Rented Property) (England and Wales) Regulations;
- the Minimum Energy Efficiency Standards (MEES) as per The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- the Renters’ Rights Act, including new statutory duties and enforcement powers placed on local authorities;
- the Protection from Eviction Act 1977, where relevant to enforcement activity;
- the Legislative and Regulatory Reform Act 2006, including the Regulators’ Code.
- the Renters Rights Act 2025

7.3 It is the responsibility of the service area and policy owner to ensure that this policy, and any procedures or guidance that support it, are kept up to date and reflect current legislation, statutory guidance and case law.

7.4 Officers exercising enforcement powers must ensure that decisions are made in accordance with the law in force at the time of action and that reliance is placed on the most current statutory guidance.

7.5 Where appropriate, this policy is supported by statutory guidance, government publications and recognised codes of practice, including guidance on civil penalty levels, enforcement decision-making and hazard assessment under HHSRS.

7.6 Some elements of this framework provide detailed legal or technical guidance, while others signpost officers and decision-makers to relevant sources of information to support lawful and consistent enforcement.

8. Equality and Diversity

8.1 Sandwell Council is committed to ensuring that all individuals subject to enforcement activity are treated fairly, with dignity and respect. The council recognises that enforcement action may impact people differently and will take into account individual circumstances, including disability, vulnerability and protected characteristics.

8.2 The council will act in a consistent, transparent and equitable manner when exercising its enforcement powers, ensuring that all decisions relating to civil penalties and other enforcement actions are reasonable, proportionate and evidence based.

8.3 All officers are expected to apply Equality, Diversity and Inclusion principles when implementing this policy. Training and guidance are provided to ensure that enforcement activity is carried out in a way that recognises and accommodates individual needs while maintaining compliance with legal requirements.

8.4 This policy supports the council's duties under the Equality Act 2010 and reflects its wider commitment to promoting equality of opportunity and eliminating unlawful discrimination in all areas of service delivery.

Reasonable Adjustments

8.5 Sandwell Council will make reasonable adjustments where necessary to ensure that individuals are not disadvantaged in relation to enforcement processes.

8.6 There is no fixed list of reasonable adjustments. Adjustments will be considered on a case-by-case basis, taking into account the individual's needs and the circumstances of the case. The council will engage with the individual to understand their requirements and seek to agree appropriate support where possible.

8.7 Reasonable adjustments may include, but are not limited to:
- providing additional time to respond to notices or representations;
- offering alternative formats or methods of communication;
- allowing representation or support from a third party;
- adapting processes where appropriate to support accessibility.

8.8 The council will not make assumptions about whether an individual requires reasonable adjustments or what those adjustments should be. All requests will be considered sensitively and confidentially.

8.9 Where a requested adjustment cannot be accommodated, the council will clearly explain the reasons and consider whether alternative support can be provided.

ST*R Model

8.10 Sandwell Council applies the ST*R model to underpin its approach to enforcement, ensuring that actions are fair, proportionate and carried out with professionalism and respect.

8.11 The ST*R model is based on the following principles:

- **Strengths-Based Approach** – Officers will seek to engage constructively with landlords, tenants and other parties, encouraging compliance and recognising positive actions taken to remedy issues.
- **Trauma-Informed Approach** – The council recognises that enforcement situations may involve stress, vulnerability or crisis. Officers are expected to act with sensitivity, particularly where individuals may be at risk of harm.
- **Relationship-Based Approach** – Enforcement activity will be supported by clear communication, transparency and respectful engagement, helping to build trust and promote understanding of legal responsibilities.

8.12 The application of the ST*R model does not prevent the council from taking firm enforcement action where necessary but ensures that such action is delivered in a balanced and proportionate manner.

9. Policy Document Version Control

Version	Date	Description	Updated By	Approved By
0.1	27 March 2026	Initial issue of policy	Richard Hawkins	
0.2	30 April 2026	Edit of policy	Louis Bebb	

10. Appendices

10.1 - Civil Penalty Amounts

These are the amounts charged via civil penalty for breaches under the Renters Rights Act 2025

Reform Area	Specific Breach	Starting Penalty Level	Max Penalty (Serious/Repeat)
Use of Section 21	Attempting to end a tenancy via a Section 21 notice.	£6,000	£40,000.
Periodic Tenancies	Attempting to grant or let a property for a fixed term.	£4,000	£40,000.
Possession Grounds (Illegal Eviction)	Relying on a ground while knowing (or being reckless) that the landlord cannot actually obtain possession.	£30,000	£40,000.
Rent Increases	Failure to use the formal Section 13 process or providing incorrect notice periods can invalidate the increase. Persistent failure to comply with rent rules.	£7,000	£40,000.
Providing documents	Failure to provide the tenant agreements and documents.	£7,000	£40,000.
Rental Bidding	Inviting, encouraging, or accepting offers higher than the advertised rent.	£4,000	£7,000.
Rent in Advance	Requesting or accepting more than one month's rent in advance.	£4,000*	£7,000.
Discrimination	Blanket bans or discriminatory practices	£6,000	£7,000.

	against those with children or on benefits.		
Reletting/ Marketing	Reletting or marketing the property for rent within 12 months of ending a tenancy on grounds of moving in or sale.	£4,000	£7,000
Failure to register on national database (when enacted).	Marketing or letting a property that isn't registered.	£10,000	£25,000
Failure to carry out works that should be obvious and known to the landlord (when enacted).	Section 6A of the Housing Act 2004 enables the authority to impose a financial penalty at the point of identifying a Category 1 hazard, without the need to first serve an Improvement Notice.	£4,500	£7,000

*Starting and maximum levels are as per Statutory Guidance (published 13 November 2025) unless asterisked. Where there is no starting point the local authority has determined a starting point that they believe is proportionate and effective.

These are the amounts charged via civil penalty for breaches under the Renters Rights Act 2025

These are the amounts charged via civil penalty for breaches under the Housing Act 2004 and the Management of Houses in Multiple Occupation (England) Regulations 2006.

These are the amounts charged via civil penalty for breaches under the Housing Act 2004 and the Management of Houses in Multiple Occupation (England) Regulations 2006.

For any offence committed on or after 1 May 2026, the MHCLG Statutory Guidance requires councils to use these starting levels based on the "seriousness" of the breach:

Offence Type	Starting Penalty	Statutory Maximum
Unlicensed HMO (Mandatory/Additional)	£17,000	£40,000
Unlicensed Selective Licensing property	£12,000	£40,000
Failure to comply with Improvement Notice	£25,000	£40,000
HMO: Failure to take safety measures	£20,000	£40,000
HMO: Knowingly permitting over-occupation	£20,000	£40,000
HMO: Failure to maintain gas/electric certificates	£12,000	£40,000
HMO: Failure to maintain common parts	£7,000	£40,000

Starting and maximum levels are as per Statutory Guidance (published 13 November 2025).

10.2 - Enforcement penalties for the Minimum Energy Efficiency Standards (MEES) as per The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

Offence Type	Starting Penalty	Statutory Maximum
Renting out a non-compliant property (less than 3 months)	Up to £2,000	£2,000
Renting out a non-compliant property (3 months or more)	Up to £4,000	£4,000
Providing false/misleading info on the Exemption Register	Up to £1,000	£1,000
Failure to comply with a Compliance Notice	Up to £2,000	£2,000
Total Cumulative Cap	—	£5,000 per property

10.3 - Enforcement penalties for breaches of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Offence Type	Starting Penalty	Statutory Maximum
Failure to ensure electrical installations are inspected and tested at least every five years and failure to obtain or hold a valid Electrical Installation Condition Report (EICR).	£5,000	£30,000
Failure to provide a copy of a valid EICR to existing tenants, prospective tenants, or the local authority when lawfully required to do so.	£5,000	£30,000
Premiums (use all that apply)		
Acts or omissions demonstrating high culpability		+10,000
Large housing portfolio (10+ units of accommodation)		+10,000
Multiple Category 1 or high Category 2 Hazards		+10,000
Vulnerable occupant and/or significant harm occurred as a result of housing conditions		+10,000
Financial Hardship and Ability to Pay		-50%

This starting point of £5000 is determined by the council and reflects the safety-critical nature of electrical compliance, the need for effective deterrence, and the requirement for proportionality. Penalty levels may be adjusted upwards where aggravating factors are present, including but not limited to prolonged non-compliance, identified Category 1 hazards, failure to complete remedial works, multiple breaches, or deliberate or reckless behaviour.

10.4 - Charging table for determining value of Financial Penalties imposed under Housing Act 2004

Failure to carry out works that should be obvious and known to the landlord	£
1st offence where breach is clear but not caused by long-term failure to act.	£4,500
Serious long-term disrepair with clear demonstration of failure to act or consider tenant safety	£7,000
2nd subsequent offence by the same person/company	£7,000
Subsequent offences by the same person/company	£7,000

Failure to register on the landlord database	£
1st offence where breach is clear but not caused by long-term failure to act.	£10,000
Multiple properties (portfolio landlord) not registered at first offense.	£20,000
Subsequent offences by the same person/company	£25,000

Reletting/ Marketing/discrimination/rent in advance/ rental bidding	£
1st offence	£4,500
Serious long-term multiple examples found	£7,000
2nd subsequent offence by the same person/company	£7,000
Subsequent offences by the same person/company	£7,000

Failure to provide documents	£
1st offence	£4,500
Serious long-term multiple examples found	£7,000
2nd subsequent offence by the same person/company	£7,000
Subsequent offences by the same person/company	£7,000

Failure to provide documents/rent increase failures (s13)	£
1st offence	£7,000
Serious long-term multiple examples found	£20,000
2nd subsequent offence by the same person/company	£20,000
3rd subsequent offence by the same person/company	£30,000
Subsequent offences by the same person/company	£40,000

Illegal eviction	£
1st offence	£30,000
Serious multiple examples found	£40,000
Subsequent offences by the same person/company	£40,000

Periodic Tenancies	£
1st offence	£4,000
Serious multiple examples found	£20,000
2nd subsequent offence by the same person/company	£20,000
3rd subsequent offence by the same person/company	£30,000
Subsequent offences by the same person/company	£40,000

Use of S21 notice	£
1st offence	£6,000
Serious multiple examples found	£20,000
2nd subsequent offence by the same person/company	£20,000
3rd subsequent offence by the same person/company	£30,000
Subsequent offences by the same person/company	£40,000

Failure to comply with an Improvement Notice (Section 30)	£
1st offence	25,000
2nd subsequent offence by the same person/company	35,000
Subsequent offences by the same person/company	40,000
Premiums (use all that apply)	
Acts or omissions demonstrating high culpability	+10,000
Large housing portfolio (10+ units of accommodation)	+10,000
Multiple Category 1 or high Category 2 Hazards	+10,000
Vulnerable occupant and/or significant harm occurred as a result of housing conditions	+10,000
Financial Hardship and Ability to Pay	-50%

Offences in relation to licensing of HMOs under Part 2 of the Act (Section 72)	£
Failure to obtain property Licence (section 72(1))	17,000
2nd subsequent offence by the same person/company	40,000
Financial Hardship and Ability to Pay	-50%
Breach of Licence conditions (Section 72(2) and (3)) - Per licence breach	7,000
Financial Hardship and Ability to Pay	-50%

Offences in relation to licensing of HMOs under Part 3 of the Act (Section 95)	£
Failure to Licence (Section 95(1))	17,000
2nd subsequent offence by same person/company	40,000
Financial Hardship and Ability to Pay	-50%
Breach of Licence conditions (Section 95(2)) - Per licence breach	7,000
Financial Hardship and Ability to Pay	-50%

Offences of contravention of an overcrowding notice (section 139)	£
1st relevant offences	20,000
2nd subsequent offence by same person/company	40,000
Premiums (use all that apply)	
Acts or omissions demonstrating high culpability	+10,000
Vulnerable occupant and/or significant harm occurred as result of overcrowding	+10,000
Financial Hardship and Ability to Pay	-50%

10.5 - Charging table relating to offences committed under the Management of Houses in Multiple Occupation (England) Regulations 2006

Failure to comply with management regulations in respect of HMOs (Section 234)	£
Failure to take safety measures	
1st relevant offence *(note1)*	20,000
Second subsequent offences by same person/company for the same offence	40,000
Failure to supply/maintain gas & electricity	
1st relevant offence *(note1)*	12,000
Second subsequent offences by same person/company for the same offence	20,000
Failure to maintain water supply & drainage	

1st relevant offence *(note1)*	10,000
Second subsequent offences by same person/company for the same offence	20,000
Failure to maintain common parts / living space	
1st relevant offence *(note1)*	7,000
Second subsequent offences by same person/company for the same offence	20,000
Failure to provide adequate waste disposal	
1st relevant offence *(note1)*	7,000
Second subsequent offences by same person/company for the same offence	20,000
Failure to provide manager info to occupier	
1st relevant offence *(note1)*	3,000
Second subsequent offences by same person/company for the same offence	10,000
Premiums (use all that apply)	
Acts or omissions demonstrating high culpability	+10,000
Large housing portfolio (10+ units of accommodation)	+10,000
Vulnerable occupant and/or significant harm occurred as result of housing conditions	+10,000
Financial Hardship and Ability to Pay	-50%

10.6 - Summary of Adjustments

Factor	Typical Impact on Fine
Professional Landlord (10+ properties)	Increases from starting point
Vulnerable tenants affected	Increases toward maximum
Deliberate or reckless act	Increases toward maximum
Promptly fixed the issue	Decreases (Mitigation)
First-time offence / Low harm	Stays near Starting Point