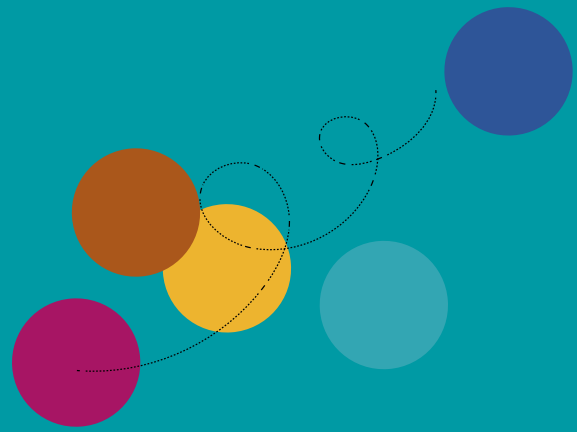




NORWICH
City Council



Civil Penalties and Electrical Safety Standards in the Private Rented Sector



Policy

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Contents

Policy	1
Introduction	5
What is a Civil Penalty	6
When a Civil Penalty Can be Used	6
When the Council Will Consider Imposing a Civil Penalty	7
How the Council Considers Multiple Offences	7
Statutory Guidance on How Penalties Are Set	7
Council Enforcement Approach and Statutory Powers	9
Civil Penalties Matrix	11
Civil Penalties Summary	12
Justice for Tenants Calculator: Methodology for Setting Financial Penalties	14
Offences Subject to Civil Penalties	15
Failure to Comply with an Improvement Notice	15
Officer Authorisation and Procedure	17
Additional Factors Considered when an Improvement Notice is Not Complied With	17
General Factors Considered when Determining the Level of Penalty ...	17
Licensing Offences	18
Failure to Licence	18
When the Council May Increase a Penalty for an Unlicensed Property	20
How the Council Decides if a Penalty Should be Increased	Error!
Bookmark not defined.	
Failure to Comply with an Overcrowding Notice	21
Additional Factors Considered when an Overcrowding Notice is Not Complied With	22
Failure to Comply with a Banning Order	23

Failure to comply with Management Regulations	24
Failure to Provide Information to Occupiers	26
Additional Factors Considered when the Management Regulations are not Complied with.....	26
Failure to Take Safety Measures	27
How the Council Assesses Additional Factors for Breaches of HMO Management Regulations	28
Failure to Maintain Water Supply and Drainage	29
Failure to Supply and Maintain Gas and Electricity	30
Failure to Maintain Common Parts, Fixtures, Fittings and Appliances .	32
Failure to Maintain Living Accommodation	34
Duty to Provide Waste Disposal Facilities	36
Breach of Licence Conditions	38
Failure to Comply with Licence Conditions: Property Maintenance, Repairs and Access.....	39
Failure to Comply with Licence Conditions: Fire, Gas, Electrical and Safety Management	40
Failure to Comply with Licence Conditions: Overcrowding, Room Sizes and Occupancy Limits	42
Failure to Comply with Licence Conditions: Fire Safety, Gas, and Means of Escape.....	44
Failure to Comply with Regulation 3 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	45
Failure to Comply with Electrical Safety Reporting and Record-Keeping Duties	48
Failure to Comply with Core Electrical Safety Duties	50
Failure to Complete Electrical Remedial or Investigative Work	51
Process for Imposing a Civil Penalty and the Right to Make Representations.....	53
Discounts	55

Appeals Process Against a Civil Penalty 55

Introduction

Norwich City Council is committed to ensuring that all privately rented homes in the city are safe, well-managed, and compliant with housing legislation. This policy sets out how Norwich City Council will use its powers to impose civil penalties under Section 126 and Schedule 9 of the Housing and Planning Act 2016 and related legislation, as an alternative to prosecution for certain housing offences.

The policy has been adapted from the Justice for Tenants (JFT) national model and remains fully compliant with the JFT Civil Penalty Notice Generator and Calculator. It should be read in conjunction with the Private Sector Housing Enforcement Policy (2025) and the Corporate Enforcement Policy (2023), which together outline the Council's wider approach to proportionate and transparent enforcement.

In this policy, the term "landlord" includes letting agents, managing agents, property owners, directors of corporate landlords, and any other person or body involved in the letting or management of privately rented accommodation. The term "House in Multiple Occupation (HMO)" is as defined in the Housing Act 2004.

Under Section 126 and Schedule 9 of the Housing and Planning Act 2016, local authorities have the power, through the insertion of Section 249A of the Housing Act 2004, to impose civil penalties as an alternative to prosecution for the following offences:

- Failure to comply with an Improvement Notice (Section 30)
- Offences relating to the licensing of Houses in Multiple Occupation (Section 72)
- Offences relating to the selective licensing of houses (Section 95)
- Failure to comply with an Overcrowding Notice (Section 139)
- Failure to comply with management regulations for an HMO (Section 234)

In addition, Regulation 11 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 allows local authorities to impose civil penalties for breaches of Regulation 3 of those Regulations. Section 23 of the Housing and Planning Act 2016 also enables a civil penalty to be imposed for breaches of a Banning Order.

Norwich City Council may impose a civil penalty of up to £30,000 per offence, with each case considered individually in accordance with this policy. This policy supports the Council's aim of improving standards in the private rented sector by ensuring that enforcement is fair, proportionate and consistent, and that landlords and agents who fail to meet their legal obligations do not gain financially from non-compliance.

The Council will act reasonably and consistently when exercising its enforcement powers, ensuring decisions are proportionate and in line with the principles of administrative law.

What is a Civil Penalty

A civil penalty is a financial penalty of up to £30,000 that Norwich City Council may impose as an alternative to prosecution for certain offences under the Housing Act 2004 and related legislation. The power to impose civil penalties was introduced by Section 126 and Schedule 9 of the Housing and Planning Act 2016, which inserted Section 249A into the Housing Act 2004.

Civil penalties allow the Council to take proportionate enforcement action where an offence has been committed but prosecution is not considered necessary or the most effective approach. They act as both a punishment and a deterrent to poor practice, while also ensuring that non-compliant landlords do not gain financially from failing to meet their legal responsibilities.

The Council determines the level of each penalty by considering the factors set out in the statutory guidance issued by the Department for Levelling Up, Housing and Communities. These include the seriousness of the offence, the level of culpability and harm, any previous history of non-compliance and any mitigating or aggravating circumstances.

Although primarily aimed at landlords, property owners and managing or letting agents, civil penalties may also apply to any person having control or management responsibility for a property under the Housing Act 2004.

When a Civil Penalty Can be Used

Norwich City Council may impose a civil penalty instead of pursuing a prosecution for certain offences under the Housing Act 2004 and related legislation. These include failure to comply with an Improvement Notice, offences relating to the licensing of Houses in Multiple Occupation or the selective licensing of houses, failure to comply with an Overcrowding Notice, and failure to comply with the Management Regulations for Houses in Multiple Occupation.

A civil penalty may also be imposed for failing to comply with the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, or for breaching a Banning Order made by the First-tier Tribunal (Property Chamber) under the Housing and Planning Act 2016. Before imposing a civil penalty, the Council must be satisfied that the criminal standard of proof has been met. This means there must be sufficient evidence to demonstrate, beyond reasonable doubt, that an offence has been committed.

All decisions to issue a civil penalty are subject to review by authorised officers and the Council's legal services team. A civil penalty will only be imposed where there is a realistic prospect of conviction if the matter were to proceed to court.

When assessing the evidence and deciding whether it is in the public interest to take enforcement action, the Council will have regard to the principles set out in the Code for Crown Prosecutors, together with the Corporate Enforcement Policy and the Private Sector Housing Enforcement Policy. The Council will ensure that all enforcement action taken is proportionate, consistent and transparent.

When the Council Will Consider Imposing a Civil Penalty

Before imposing a civil penalty, Norwich City Council will assess whether the case meets the required legal tests. The Council must be satisfied that there is sufficient evidence to prove the offence beyond reasonable doubt and that taking enforcement action serves the public interest.

In making this decision, the Council will also consider whether prosecution may be more appropriate, particularly where the offence is serious, where there is a history of similar offences, or where a banning order may be justified.

Each case will be reviewed on its individual merits and in line with the Council's Corporate Enforcement Policy and Private Sector Housing Enforcement Policy. This ensures that all enforcement action is consistent, proportionate, and transparent.

How the Council Considers Multiple Offences

Where a landlord or agent has committed more than one offence, Norwich City Council will apply the Totality Principle. This means that the overall financial penalty must be fair, proportionate, and reflect the seriousness of the combined offending behaviour without creating an excessive or cumulative penalty.

In cases where several breaches arise from the same incident or similar circumstances, the Council may impose a single penalty based on the most serious offence. However, previous or unpenalized breaches may still be taken into account when assessing culpability and determining the appropriate penalty level.

This approach ensures that enforcement is both proportionate and effective in preventing repeated non-compliance.

Statutory Guidance on How Penalties Are Set

The Government has issued statutory guidance under Schedule 9 of the Housing and Planning Act 2016 entitled "*Civil Penalties under the Housing and Planning Act 2016: Guidance for Local Housing Authorities.*" Norwich City Council must have regard to this guidance when exercising its functions in respect of civil penalties.

Paragraph 3.5 of the statutory guidance sets out that the amount of any civil penalty should reflect the severity of the offence and the landlord's previous record of compliance. The guidance identifies the following factors that must be considered when determining the level of penalty:

- a. Severity of the offence. The more serious the offence, the higher the penalty should be.
- b. Culpability and record of accomplishment of the offender. A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- c. The harm caused to the tenant. This is a particularly principal factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- d. Punishment of the offender. A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.
- e. Deter the offender from repeating the offence. The goal is to prevent any further offending and help ensure that the landlord fully complies with all their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- f. Deter others from committing similar offences. While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- g. Remove any financial benefit the offender may have obtained because of committing the offence. The guiding principle here should be to ensure that the offender does not benefit because of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and responsibly managed.

Norwich City Council recognises that deterrence is a key objective of the civil penalty framework. The deterrent effect will often be the subject of appeals, and the Council will therefore maintain a record of penalties that have been issued, including those that have not been appealed. This will enable the Council to build a clear and evidence-based

framework for determining appropriate deterrent levels. Over time, this will support the effective use of penalties, encourage greater compliance by landlords, and inform the Council's wider deterrent strategies.

In setting the penalty process, the Council will ensure that fairness and consistency are maintained, even where the penalty level is high. Transparency in decision making allows landlords to understand the rationale behind penalties and reinforces confidence in the enforcement process. Landlords will always be made aware of the mechanism for appealing a decision and the timescales for doing so. A transparent and fair approach to appeals helps to create an environment in which deterrence is achieved, unnecessary appeals are reduced, and standards are improved across the private rented and Houses in Multiple Occupation sectors within Norwich.

Council Enforcement Approach and Statutory Powers

The Council is mindful that despite its best efforts, many landlords may operate unlawfully for a significant period without detection, and only a proportion of landlords committing relevant offences will be discovered. The Council is, therefore, mindful that when deciding to impose a Civil Penalty, it should create an environment where it is clear to the offender and others that operating unlawfully as a landlord will be financially disadvantageous when compared to operating lawfully.

The Council intends to create an environment where landlords engage with the Council's requests and demands fulsomely, openly, and honestly. This helps create a level playing field which supports the aims of transparency and consistency. No landlord should be able to financially benefit from withholding information the Council deems relevant that is, or should be, in their control to disclose. It is expected that fulsome and complete supporting evidence is provided to support any Written Representations received in response to a Notice of Intent.

The Council encourages open and honest engagement from landlords and agents. Officers expect full cooperation and the timely disclosure of information relevant to investigations or written representations. Failure to provide requested information that is within a landlord's control may be treated as an aggravating factor when assessing culpability or determining penalty levels.

To support effective investigations, the Council will use the statutory powers available to local housing authorities, including:

- Housing Act 2004: Sections 239 and 235 empower officers to enter premises, carry out inspections, and require landlords or agents to produce documents and information relating to the management and condition of properties.

- Housing and Planning Act 2016: Provides powers to obtain and use information from the database of rogue landlords and property agents to support investigations and enforcement.
- Local Government (Miscellaneous Provisions) Act 1976: Section 16 enables the Council to serve notices requiring individuals to provide information about property ownership, occupation, and management.
- Environmental Protection Act 1990: Section 80 allows abatement notices to be issued in relation to statutory nuisances, which may include issues linked to property condition or management.
- Tenant Fees Act 2019: Prohibits landlords and letting agents from charging prohibited fees to tenants. Permitted payments are limited to:
 - a. Rent
 - b. Tenancy deposits (capped at five weeks' rent for annual rents under £50,000 and six weeks for those above)
 - c. Holding deposits (capped at one week's rent)
 - d. Payments for default (e.g. lost keys)
 - e. Payments for tenancy variations or assignments (capped at £50 or reasonable costs)
 - f. Payments for early termination of the tenancy at the tenant's request
 - g. Payments for utilities, communication services, TV licence, and council tax

The Council has enforcement responsibility under the Tenant Fees Act 2019, with penalties of up to £5,000 for a first offence and up to £30,000 for repeat breaches. Breaches may also lead to a banning order application through the First-tier Tribunal (Property Chamber).

In applying these powers, the Council is committed to promoting awareness and compliance within the private rented sector. Officers will support landlords and agents to understand their legal responsibilities, particularly where awareness of the Tenant Fees Act and similar legislation remains low.

The Council will apply all enforcement powers in accordance with the principles of proportionality, accountability, consistency, transparency, and targeted action as set out in the Regulators' Code (2014).

Finally, the Council will exercise powers under the Regulation of Investigatory Powers Act 2000 (RIPA) only where proportionate, necessary, and properly authorised. All investigations will be carried out in accordance with the Council's RIPA policy and oversight arrangements to ensure that evidence is obtained lawfully and ethically.

Where invited, the recipient of a civil penalty may provide evidence of their financial circumstances. The Council will consider this information when determining the final penalty amount to ensure that it is proportionate to both the seriousness of the offence and the offender's means. The Council may, where appropriate, agree to payment by instalments to secure compliance without undermining deterrence. Failure to provide requested

information about means will not be treated as mitigation and the Council will assume that the landlord or agent has sufficient resources to meet the penalty in full.

Civil Penalties Matrix

When determining the level of a civil penalty, Norwich City Council officers will apply the Civil Penalties Matrix alongside the associated guidance and the Justice for Tenants calculator. The Matrix provides indicative starting levels for offences under relevant housing legislation.

The final penalty level will be determined after taking into account any aggravating or mitigating factors the Council considers relevant, including but not limited to the landlord's compliance history, culpability, and the actual or potential harm caused to the occupants.

In determining the level of a civil penalty, officers will have regard to the matrix set out below, which is to be read in conjunction with the associated guidance. The matrix is intended to provide indicative 'starting level' under the various offence categories, with the final level of the civil penalty adjusted in each case, considering aggravating and mitigating factors the Council deems significant including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants.

In deciding what level of penalty to impose, officers will conduct the following four stage process:

- Stage one: Officers will consider the seriousness of the relevant housing offence to identify a starting level of the penalty.
- Stage two: an assessment of the number of rental properties controlled or owned or managed by the landlord and, or their experience in the letting or management of property will be considered, which may have the effect of increasing or decreasing the penalty.
- Stage three: Aggravating and mitigating factors that may relate to several factors including, but not limited to, culpability, record of accomplishment and harm will be considered, which may have the effect of increasing or decreasing the penalty.
- Stage four: if any of the Discounts, as set out below, apply, the penalty will be decreased.

Once the seriousness of the relevant housing offence has been identified, the starting level of the penalty will be identified using the table below with the headings 'Seriousness of offence' and 'Starting level [£].' Consideration of the number and type of rental properties controlled, owned, or managed may adjust the penalty.

To reflect the seriousness of the offence(s) in question, the presence of one or more mitigating factors will rarely result in the penalty being decreased more than a total of £5,000

In exceptional circumstances, officers may determine that the presence of one or more mitigating factors justify a decrease in the penalty more than £5,000. The presence of numerous mitigating factors will not automatically be considered as exceptional circumstances.

The Council has not provided a list of mitigating factors in this policy because it acknowledges that there are myriad circumstances that might give rise to mitigation, however it does provide examples to support understanding.

To ensure that any penalty imposed is proportionate to the offending behaviour the presence of one or more aggravating factors will rarely result in the penalty being increased more than a total of £5000 In exceptional circumstances, officers may determine that the presence of one or more aggravating factors justify an increase in the penalty more than £5,000. The presence of numerous aggravating factors will not automatically be considered as exceptional circumstances.

The Council may, exceptionally, including for the reason given above, increase the penalty by greater than £5,000 on account of aggravating factors or, again exceptionally, decrease it by greater than £5,000 on account of mitigating factors. To meet the objectives of this policy, including the need for transparency and consistency in the use of such penalties, the Council will exercise its discretion to increase or decrease a penalty by greater than £5,000 on account of aggravating or mitigating factors in exceptional circumstances only excluding any Discounts as set out below. The Council will consider on a case-by-case basis whether any such circumstances exist. The penalty levels set out below are indicative starting points only. Each case will be assessed on its individual facts, and the final amount may be adjusted to ensure that it remains fair, proportionate, and consistent with statutory guidance.

Seriousness of offence	Starting level [£]
Mild	2500
Moderate	7500
Serious	12,500
Very Serious	17,500
Severe	22,500
Very Severe	27,500

Civil Penalties Fees Summary

Offence / Failure	Indicative Penalty Range (£)
Failure to comply with an Improvement Notice	£17,500 – £27,500
Failure to licence a House in Multiple Occupation (HMO)	£12,500 – £22,500

Offence / Failure	Indicative Penalty Range (£)
Failure to licence a property under Selective Licensing	£12,500 – £22,500
Failure to comply with an Overcrowding Notice	£12,500 – £22,500
Breach of a Banning Order	Up to £30,000
Failure to provide Information to Occupiers	£500 – £4,500
Failure to take Safety Measures	£12,500 – £22,500
Failure to maintain Water Supply or Drainage	£7,500 – £17,500
Failure to supply or maintain Gas and Electricity	£7,500 – £17,500
Failure to maintain Common Parts, Fixtures or Appliances	£2,500 – £12,500
Failure to maintain Living Accommodation	£2,500 – £12,500
Duty to provide Waste Disposal Facilities	£2,500 – £12,500
Breach of Licence Conditions – Administrative / Paperwork	£500 – £4,500
Breach of Licence Conditions – Repairs / Access	£2,500 – £12,500
Breach of Licence Conditions – Fire, Gas, Electrical or Safety Management	£7,500 – £17,500
Breach of Licence Conditions – Overcrowding, Room Sizes or Occupancy Limits	£12,500 – £22,500
Breach of Licence Conditions – Fire Safety, Gas and Means of Escape	£17,500 – £27,500
Failure to comply with Regulation 3 of the Electrical Safety Standards (England) Regulations 2020	£500 – £22,500
Failure to comply with Regulation 10 of the Electrical Safety Standards (England) Regulations 2020	£500 – £22,500

Penalties shown are indicative starting points before aggravating or mitigating adjustments. Each case is assessed individually for proportionality and fairness. The maximum penalty permitted by law is £30,000 per offence. Full details of the methodology and factors considered are set out in the Civil Penalties Matrix and Determining Aggravating and Mitigating Factors sections.

Justice for Tenants Calculator: Methodology for Setting Financial Penalties

Norwich City Council uses the Justice for Tenants calculator to ensure that civil penalties are proportionate, consistent, and legally defensible. The "Justice for Tenants Calculator" is a structured, non-statutory methodology used by Local Housing Authorities (LHAs) to determine a proportionate and legally defensible level for a Civil Penalty or Rent Repayment Order (RRO) against a rogue landlord. It is essential because it quantifies the required fine using criteria similar to those used by criminal courts, ensuring the penalty achieves the goals of punishment, deterrence, and removal of financial gain.

This methodology supports the Council in applying fair and evidence-based penalties for breaches of housing legislation. It ensures that decisions are transparent and can withstand legal or tribunal scrutiny. Norwich City Council retains full discretion to determine the final penalty in accordance with the statutory guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC) under Schedule 9 of the Housing and Planning Act 2016.

The calculation process follows three main steps to arrive at a final fine, ensuring a proportional response to the offence, particularly for breaches in Houses in Multiple Occupation and Private Sector Housing standards.

Step one: Determining the Baseline Fine (Culpability and Harm)

The initial fine amount is established by assessing the landlord's culpability (blame) and the harm (or risk) caused to the tenant. This is often represented by a tiered matrix, setting the starting point for the penalty.

Culpability Level (The Landlord's Blame)	Harm Level (Risk to Tenant/Public)	Impact on Baseline Fine
High	Deliberate breach, blatant disregard for the law, or a pattern of repeat offending (e.g., intentionally renting a dangerous, unlicensed HMO).	Sets the fine at the highest band (closer to the maximum).
Medium	Negligent omission, failure to heed repeated warnings, or failing to meet obligations a reasonable person should meet (e.g., lapsed fire safety certificates).	Sets the fine at a mid-range band.
Low	Minor, technical breach, or isolated incident where a significant effort to comply was made.	Sets the fine at the lowest band.

Example: A landlord who knowingly rents out an unlicensed HMO with no working fire alarms is placed in the High Culpability and High Harm band, resulting in a significantly high baseline fine.

Step two: Applying Adjusting Factors (Aggravating and Mitigating)

The baseline figure is then adjusted upwards or downwards to reflect specific circumstances:

- **Aggravating Factors (Increase Fine):** These include previous convictions or civil penalties, failure to cooperate with the LHA, evidence of harassment, and the profit made from the illegal activity significantly exceeding the fine.
- **Mitigating Factors (Decrease Fine):** These include prompt, voluntary action taken to remedy the breach, full cooperation with the investigation, and a clean history of previous offences.

Step three: Enforcing the "Removal of Financial Gain" Principle

This is the most critical step and is applied after all adjustments. The LHA must ensure the penalty is always higher than the financial benefit the landlord gained by breaking the law.

The penalty must at least exceed the landlord's savings (e.g., the cost of essential, uncompleted repairs) or the illegal profit made (e.g., rent collected while operating an unlicensed HMO). If the fine calculated in the previous steps is lower than this gain, it is increased to ensure the landlord makes zero profit from their criminal conduct. This makes offending financially unviable and acts as a powerful economic deterrent.

Offences Subject to Civil Penalties

Norwich City Council may impose a civil penalty as an alternative to prosecution for the following offences, in accordance with Section 126 and Schedule 9 of the Housing and Planning Act 2016. Each offence is considered on its own facts, taking into account the seriousness of the breach, the level of harm, the landlord's culpability, and any aggravating or mitigating circumstances.

Failure to Comply with an Improvement Notice

Failure to comply with an Improvement Notice under Section 30 of the Housing Act 2004 may result in the Council imposing a civil penalty as an alternative to prosecution. The maximum court fine for this offence, if prosecuted, is unlimited.

An Improvement Notice served under Part 1 Housing Act 2004 specifies repairs and improvements that the recipient should carry out to address one or more identified Category 1 and, or Category 2 hazards in a property. Category 1 hazards are the most serious

hazards, judged to have the highest risk of harm to the occupiers; the Council has a duty to take appropriate action where a dwelling is found to have one or more Category 1 hazards present.

The category rating of hazards is determined in accordance with the Housing Health and Safety Rating System (HHSRS) under Part 1 of the Housing Act 2004. Assessments are carried out by appropriately trained and authorised officers of the Council who are competent to apply the HHSRS and to serve Improvement Notices.

In some cases, the service of an Improvement Notice will have followed an informal stage, where the landlord had been given the opportunity to carry out improvements without the need for formal action. In such cases, an identified failure to comply with an Improvement Notice will represent a continued failure on the part of the landlord to deal appropriately with one or more significant hazards affecting the occupier[s] of the relevant dwelling and constitute as an aggravating factor.

The Council would view the offence of failing to comply with the requirements of an Improvement Notice as a significant issue, exposing the tenant[s] of a dwelling to one or more significant hazards.

The seriousness of the offence is viewed by the Council as being a Severe matter, attracting a financial penalty with a starting level of £22,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £22,500

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £27,500.

Portfolio Size	Indicative Penalty (£)	Explanation
1–2 dwellings	17,500	Reduced where no aggravating features are present
3–5 dwellings	22,500	Standard level for most cases

Portfolio Size	Indicative Penalty (£)	Explanation
6+ dwellings	27,500	Increased where landlord demonstrates greater experience or culpability

Officer Authorisation and Procedure

To ensure that Improvement Notices are legally sound, all inspections must be undertaken by authorised officers in accordance with current statutory guidance and the Council's training and competency framework. Records of officer authorisation and training are maintained by the Council and can be made available for verification if required

Additional Factors Considered when an Improvement Notice is Not Complied With

When assessing the severity of the offence, the Council will also consider the specific circumstances of the case. In particular, the nature and extent of hazards that are present. Multiple hazards and, or severe and extreme hazards that are considered to have a significant impact on the health and, or safety of the occupant[s] in the property or their guests would justify an increase in the level of the civil penalty.

General Factors Considered when Determining the Level of Penalty

When deciding the final amount of a civil penalty, the Council will take into account a range of general factors that reflect the seriousness of the offence, the landlord's behaviour, and the impact on tenants. These considerations may include, but are not limited to, the following:

- A previous history of non-compliance would justify an increased civil penalty. Non-exhaustive examples of previous non-compliance would include previous successful prosecutions [including recent convictions that were 'spent'], receipt of financial penalties, rent repayment orders, works in default of the landlord and breaches of regulations and obligations, irrespective of whether these breaches had been the subject of separate formal action.
- A failure to cooperate with a Council investigation. Non-exhaustive examples of failure to cooperate would include failing to comply with a s.16 Local Government (Miscellaneous Provisions) Act 1976 notice, failing to comply with a s.235 Housing Act 2004 notice, failing to provide a substantive response to a letter of alleged offence.

- Deliberate intent when committing the offence. Non-exhaustive examples of deliberate intent would include knowledge that the offence was occurring, committing the offence after relevant correspondence was sent by the Council.
- The number of residents placed at risk.
- Offending over an extended period i.e. 3 months or longer.
- Whether any vulnerable residents were in occupation at the time of the offence. Non-exhaustive examples of vulnerable residents include young adults and children, persons vulnerable by virtue of age, persons vulnerable by virtue of disability or sensory impairment, persons with a drug or alcohol addiction, victims of domestic abuse, children in care or otherwise vulnerable by virtue of age, people with complex health conditions, people who do not speak English as their first language, victims of trafficking or sexual exploitation, refugees, asylum seekers.
- Whether the landlord obtained any financial benefit as a result of failing to comply with the Improvement Notice will be taken into account when determining the level of penalty. Financial gain may include avoiding repair or improvement costs, continuing to collect rent on a non-compliant property, or any other economic advantage arising from non-compliance.
- Obstruction or attempts to hinder Council enforcement action such as denying access for inspections.

Licensing Offences

Failure to obtain and maintain a valid property licence is a serious breach of the Housing Act 2004. Where a property requires a licence under Part 2 (Houses in Multiple Occupation) or Part 3 (Selective Licensing), and a landlord or person in control of or managing the property has failed to do so, the Council may impose a civil penalty as an alternative to prosecution. If prosecuted, the maximum fine for this offence is unlimited

Failure to Licence

Failure to license a Mandatory 'HMO', Section 72(1) of the Housing Act 2004. Under Part 2 Housing Act 2004, most higher risk HMOs occupied by 5 or more persons forming 2 or more households are required to hold a property licence issued by the local authority. HMO licensing was introduced to allow local authorities to regulate standards and conditions in high risk, multiply occupied residential premises. Through the property licence regime, local authorities ensure that the HMO has sufficient kitchens, baths and showers and WCs and place a limit on the number of persons permitted to occupy it and the licence holder is required to comply with a set of licence conditions.

The Council would view the offence of failing to license an HMO as a significant failing; Licensing was introduced by the Government in order to regulate management, conditions,

standards and safety in the properties considered to represent the highest risk to tenants as regards such matters as fire safety and overcrowding.

This seriousness of the offence is viewed by the Council as being a very serious matter, attracting a financial penalty with a starting level of £17,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000 attracting a civil penalty of £22,500.

Landlord Type	Description	Indicative Civil Penalty (£)
Small-scale landlord	Landlord controls, owns, or manages one HMO and no more than one additional non-HMO dwelling, with no aggravating features	£12,500
Medium-scale landlord	Landlord controls, owns, or manages three to five dwellings and/or up to two HMOs, with no aggravating features	£17,500
Large-scale or experienced landlord	Landlord controls, owns, or manages six or more dwellings, and/or three or more HMOs, or has demonstrated professional experience in property letting/management (regardless of portfolio size)	£22,500

Failure to obtain a mandatory HMO licence is regarded by the Council as a serious breach of housing law. Licensing was introduced to protect tenants by ensuring that higher-risk shared accommodation meets legal standards for safety, management, and living

conditions. Penalties are determined with reference to the seriousness of the offence and the size of the landlord's portfolio, ensuring that enforcement action is fair, proportionate, and acts as an effective deterrent against unlawful operation.

The Council applies higher penalties to landlords with larger or more established property portfolios to reflect the expectation that experienced landlords should be fully aware of their statutory obligations. Those operating at scale derive greater financial benefit from rental income and therefore have an increased responsibility to ensure compliance. Setting proportionately higher penalties ensures fairness across the sector, prevents non-compliant landlords from gaining a commercial advantage over compliant ones, and reinforces the principle that operating unlawfully will always be financially disadvantageous.

When the Council May Increase a Penalty for an Unlicensed Property

Where a landlord fails to obtain the required property licence, the Council will consider whether there are circumstances that make the offence more serious. These circumstances typically relate to the condition, safety, and management of the property, or the landlord's awareness of their legal obligations.

The following examples illustrate circumstances that would justify a higher penalty:

- The condition of the unlicensed property.
- The nature and extent of any significant hazards that are present would justify an increase in the level of the civil penalty.
- Equally, an HMO that was found to be poorly managed and, or lacking amenities and, or fire safety precautions and, or overcrowded would also justify an increased civil penalty.
- Any demonstrated evidence that the landlord or agent was familiar with the need to obtain a property licence e.g. the fact that they were a named licence holder or manager in respect of an already licensed premises.

In addition to the above, the Council will consider general aggravating factors that may apply across all types of housing offences. These factors reflect the landlord's overall conduct and attitude towards compliance.

The following should be read in conjunction with the guidance provided under 'Failure to Comply with an Improvement Notice' above:

- A history of non-compliance with housing legislation or previous enforcement action.
- Failure to cooperate with a Council investigation or to comply with statutory notices.
- Evidence of deliberate intent or disregard for legal obligations.

- The number of residents placed at risk due to the landlord's conduct.
- Offending that has continued for a prolonged period (for example, three months or more).
- The presence of vulnerable residents at the property.
- Evidence of financial benefit or profit gained through non-compliance.
- Attempts to obstruct or hinder Council enforcement action, including denying access for inspections or failing to provide requested information.

Failure to Comply with an Overcrowding Notice

This section outlines how Norwich City Council will determine and apply civil penalties for offences relating to non-compliance with an Overcrowding Notice under Section 139 of the Housing Act 2004. The offence represents a serious breach of housing standards that directly affects the living conditions and wellbeing of tenants.

The maximum court fine that may be imposed following prosecution for failure to comply with an Overcrowding Notice is unlimited. This reflects the seriousness of the offence, as overcrowding can lead to unsafe, unsanitary, and undignified living conditions for tenants. Civil penalties are therefore applied by the Council as a proportionate alternative to prosecution, ensuring that enforcement action remains effective, fair, and consistent.

Section 139 Housing Act 2004 allows the Council to serve an Overcrowding Notice in respect of an HMO that is not required to be licensed under Part 2 Housing Act 2004. The notice specifies, on a room-by-room basis, the maximum number of persons allowed to occupy each room as sleeping accommodation or that the room is not considered suitable for that purpose.

The Council would view the offence of failing to comply with the requirements of an Overcrowding Notice as a significant matter, exposing the tenant[s] of an HMO to unacceptably cramped living conditions. The seriousness of the offence is viewed by the Council as being a very serious matter, attracting a financial penalty with a starting level of £17,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and, or has

demonstrated experience in the letting and management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £22,500

Additional Factors Considered when an Overcrowding Notice is Not Complied With

When assessing the severity of the offence, the Council will also consider the specific circumstances of the case. The following factors may increase the penalty amount where relevant:

- The level of overcrowding present. Breaches that related to over-occupation of multiple rooms or extreme over-occupation of an individual room would justify a higher civil penalty.
- A History of previous warnings or notices issued to a landlord, regarding overcrowding.
- The vulnerability of occupants, such as children, elderly or disabled individuals.
- The impact on living conditions that severely impact the quality of life for tenants, including, but not limited to, lack of privacy, excessive noise, inability to maintain hygiene, in particularly if there is a mix of sexes within the space

When determining the final amount of a civil penalty, the Council will also consider a range of general factors that reflect the seriousness of the offence, the landlord's behaviour, and the specific circumstances of the case. These factors are consistent with those outlined under '*Failure to comply with an Improvement Notice*' above and include, but are not limited to:

- A previous history of non-compliance, including prior enforcement action, rent repayment orders, or convictions for housing-related offences.
- Failure to cooperate with a Council investigation, such as not responding to formal requests for information or failing to comply with statutory notices.
- Evidence of deliberate intent to breach legal requirements or disregard advice and warnings issued by the Council.
- The number of residents affected or placed at risk.
- The duration of the offence, particularly where non-compliance has persisted for three months or longer.
- Whether vulnerable residents were affected, including children, older people, or individuals with disabilities or health conditions.
- Whether the landlord obtained a financial benefit or avoided costs as a result of non-compliance. This may include avoiding repairs or improvement works, continuing to collect rent on a non-compliant property, or gaining another economic advantage from unlawful management or operations.

- Any actions taken to obstruct or delay Council enforcement, such as denying access for inspections.

Failure to Comply with a Banning Order

A Banning Order, made under Section 21 of the Housing and Planning Act 2016, prohibits a person from letting housing, engaging in letting agency or property management work, or being involved in the management of a House in Multiple Occupation (HMO) following conviction for serious housing-related offences. The purpose of a Banning Order is to prevent landlords or agents who have demonstrated deliberate or reckless disregard for their legal obligations from continuing to operate within the private rented sector.

The Council regards failure to comply with a Banning Order as a severe breach of legal responsibility and a direct threat to tenants and the integrity of the private rented sector. Such non-compliance undermines public confidence in local enforcement and demonstrates a continuing disregard for statutory restrictions designed to protect tenants from unfit or unlawful landlords.

The maximum court fine that may be imposed following prosecution for failure to comply with a Banning Order is unlimited. In addition, the court may impose a prison sentence of up to 51 weeks.

The Housing and Planning Act 2016 includes provisions and processes for a person to be banned from being involved, for a specified period, in one or more of the following activities:

- Letting housing
- Engaging in letting agency work
- Engaging in property management work

Banning Orders are reserved for what are recognised as being the most serious housing-related offences. In the event that the Council was satisfied that the offence of breaching a Banning Order had occurred, this would normally be the subject of prosecution proceedings. Where it was determined that a civil penalty would be appropriate in respect of a breach of a Banning Order, this would normally be set at the maximum level of £30,000 to reflect the severity of the offences.

When assessing the severity of this offence, the Council will also consider the specific circumstances of non-compliance. The following examples illustrate circumstances that may justify an increased penalty level:

- The landlord's awareness of the Banning Order and any previous enforcement action or correspondence from the Council confirming its terms.

- The length of time the Banning Order has been breached and the number of properties or tenants affected.
- The level of harm or potential harm to tenants, particularly where there is evidence of poor property conditions or unsafe management practices.
- Any financial benefit gained by continuing to operate in contravention of the Banning Order, including rent collected or management fees received.
- Any evidence of attempts to conceal ownership, evade enforcement, or operate through intermediaries.

When determining the final amount of a civil penalty, the Council will also consider a range of general factors that reflect the seriousness of the offence, the landlord's behaviour, and the specific circumstances of the case. These factors are consistent with those outlined under 'Failure to comply with an Improvement Notice' above and include the following:

- A previous history of non-compliance, including prior enforcement action, rent repayment orders, or convictions for housing-related offences.
- Failure to cooperate with a Council investigation, such as not responding to formal requests for information or failing to comply with statutory notices.
- Evidence of deliberate intent to breach legal requirements or disregard advice and warnings issued by the Council.
- The number of residents affected or placed at risk.
- The duration of the offence, particularly where non-compliance has persisted for three months or longer.
- Whether vulnerable residents were affected, including children, older people, or individuals with disabilities or health conditions.
- Whether the landlord obtained a financial benefit or avoided costs as a result of non-compliance. This may include avoiding repairs or improvement works, continuing to collect rent on a non-compliant property, or gaining another economic advantage from unlawful management or operations.
- Any actions taken to obstruct or delay Council enforcement, such as denying access for inspections.

Failure to comply with Management Regulations

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose statutory duties on landlords and managers to ensure that the HMO is managed in accordance with prescribed standards of safety, maintenance, and repair. These duties include maintaining common parts, fixtures, fittings, and appliances in good and clean condition; ensuring that fire precautions and means of escape are kept in proper working order; and taking all reasonable steps to protect occupants from injury and health and safety risks arising from the property's condition or management.

The maximum court fine that may be imposed following prosecution for failure to comply with each individual regulation under the Management of Houses in Multiple Occupation (England) Regulations 2006 is unlimited. Each breach of a regulation is treated as a separate offence, meaning multiple fines may be imposed where more than one regulation has been breached.

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose duties on the persons managing HMOs in respect of:

- Providing information to occupiers [Regulation 3]
- Taking safety measures, including fire safety measures [Regulation 4]
- Maintaining the water supply and drainage [Regulation 5]
- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [Regulation 6]
- Maintaining common parts [Regulation 7]
- Maintaining living accommodation [Regulation 8]
- Providing sufficient waste disposal facilities [Regulation 9]

The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 impose duties on the persons managing HMOs as defined by Section 257 Housing Act 2004 in respect of:

- Providing information to occupiers [regulation 4]
- Taking safety measures, including fire safety measures [regulation 5]
- Maintaining the water supply and drainage [regulation 6]
- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [regulation 7]
- Maintaining common parts [regulation 8]
- Maintaining living accommodation [regulation 9]
- Providing sufficient waste disposal facilities [regulation 10]

It is important that the manager of an HMO complies with all regulations, but the Council recognises that a failure to comply with certain regulations is likely to have a much bigger impact on the safety and comfort of residents than others.

The Council regards breaches of these regulations as serious failings, as they directly affect the safety and welfare of occupants. Non-compliance with the Management Regulations may involve risks to life, particularly where fire safety measures are inadequate or where conditions present significant hazards to health.

Failure to Provide Information to Occupiers

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to provide information to occupier as a mild matter, attracting a financial penalty with a starting level of £2,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £2,000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2,500

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and/or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2,000, attracting a civil penalty of £4,500.

Additional Factors Considered when the Management Regulations are not Complied with

When assessing the severity of an offence under the Management Regulations, the Council will consider the specific circumstances of non-compliance. The following examples illustrate circumstances that may justify an increased penalty level:

- The number and, or nature and, or extent of the management regulation breach(es) and, or the deficiencies within each regulation.
- The degree of risk to occupants, particularly where hazards such as inadequate fire safety measures, electrical dangers, or structural issues are identified.
- The extent of disrepair, poor hygiene, or lack of maintenance in shared areas such as kitchens, bathrooms, or stairwells.
- The number of tenants affected by the poor management of the property.
- Any evidence that the landlord or manager has previously been advised, warned, or served with notices in respect of similar breaches.
- Any evidence that the landlord or manager has previously been advised, warned, or served with notices in respect of similar breaches.

When determining the final amount of a civil penalty, the Council will also consider a range of general factors that reflect the seriousness of the offence, the landlord's behaviour, and

the specific circumstances of the case. These factors are consistent with those outlined under 'Failure to comply with an Improvement Notice' above and include the following:

- A previous history of non-compliance, including prior enforcement action, rent repayment orders, or convictions for housing-related offences.
- Failure to cooperate with a Council investigation, such as not responding to formal requests for information or failing to comply with statutory notices.
- Evidence of deliberate intent to breach legal requirements or disregard advice and warnings issued by the Council.
- The number of residents affected or placed at risk.
- The duration of the offence, particularly where non-compliance has persisted for three months or longer.
- Whether vulnerable residents were affected, including children, older people, or individuals with disabilities or health conditions.
- Whether the landlord obtained a financial benefit or avoided costs as a result of non-compliance. This may include avoiding repairs or improvement works, continuing to collect rent on a non-compliant property, or gaining another economic advantage from unlawful management or operation
- Any actions taken to obstruct or delay Council enforcement, such as denying access for inspections.

Failure to Take Safety Measures

The Council views failure to comply with the duty to take safety measures as a very serious matter under the Management of Houses in Multiple Occupation (England) Regulations 2006. This duty exists to ensure that landlords and managers maintain safe conditions for occupants, including taking appropriate fire safety precautions, maintaining means of escape, and addressing other risks that could cause injury or harm.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to take safety measures as a Very Serious matter, attracting a financial penalty with a starting level of £17,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting and management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £22,500.

How the Council Assesses Additional Factors for Breaches of HMO Management Regulations

When assessing the seriousness of an offence under the Management of Houses in Multiple Occupation (England) Regulations 2006, Norwich City Council will consider whether there are additional factors that make the breach more serious. These are known as *aggravating factors* and help ensure that penalties are fair, consistent, and proportionate to the offence.

Examples of aggravating factors specific to HMO management offences include:

- The breach resulted in, or had the potential to cause, harm to occupiers' health or safety.
- There is evidence that the landlord or manager was aware of the issue and failed to act.
- The property houses a large number of occupiers or contains vulnerable tenants (for example, families with young children, elderly people, or individuals with disabilities).
- There has been a previous warning or enforcement action against the landlord or manager.
- The landlord or manager has demonstrated poor management practices or failed to cooperate during the investigation.

In addition to any specific aggravating factors, the Council also considers wider factors that apply to all offences under housing legislation. These ensure that the penalty accurately reflects the overall seriousness of the offence.

These general factors include:

- The degree of responsibility or negligence demonstrated by the landlord or manager.
- Whether the offence was deliberate, reckless, or repeated over time.
- The financial or commercial benefit gained from the breach.
- The impact of the offence on tenants' living conditions, wellbeing, or safety.
- Whether there has been a history of non-compliance or previous convictions.
- The extent to which the landlord or manager has engaged positively with officers and taken action to put matters right.

The Council will consider all relevant factors in determining the final penalty, ensuring that its approach is fair, transparent, and proportionate to the circumstances of the case

Failure to Maintain Water Supply and Drainage

Under the Management of Houses in Multiple Occupation (England) Regulations 2006, landlords and managers are legally required to ensure that water supply and drainage systems serving an HMO are maintained in good, safe, and working order. This duty includes taking timely action to prevent contamination, blockages, or interruptions to supply that could impact the health, safety, or comfort of occupiers.

Norwich City Council takes non-compliance with this duty seriously, recognising that failures in water supply and drainage can create significant risks to tenants' welfare and public health.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the water supply and drainage as a Serious matter, attracting a financial penalty with a starting level of £12,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £17,500.

When the Council looks at breaches of the HMO Management Regulations, it will take into account any factors that make the situation more serious. These are called aggravating factors and help the Council decide whether a higher penalty is appropriate.

Examples include:

- Ignoring known safety or maintenance problems that could put tenants at risk/
- Failing to act after being given warnings or advice.
- Creating or allowing conditions that endanger tenants' health, safety, or welfare.
- Refusing to cooperate with the Council during an investigation.
- A track record of poor management or previous enforcement action.

- Not giving tenants or the Council the information they are legally entitled to.

Where one or more of these factors apply, the Council may issue a higher penalty within the relevant range to reflect the increased seriousness of the offence.

In some cases, there are wider circumstances that can also lead to a higher penalty, even if they don't relate to a specific offence. These reflect the overall behaviour and conduct of the landlord or agent.

Examples include:

- Repeated breaches or continuing non-compliance across different properties.
- Gaining financial benefit by avoiding repairs or other legal duties.
- Failing to comply with an Improvement Notice or other enforcement action.
- Taking advantage of tenants who are vulnerable or unable to find other housing.
- Not replying to correspondence or failing to cooperate with Council officers.

These factors help ensure that penalties are fair, proportionate, and act as a deterrent against poor or unsafe management.

Failure to Supply and Maintain Gas and Electricity

Under the Management of Houses in Multiple Occupation (England) Regulations 2006, landlords and managers have a legal duty to ensure that gas and electrical supplies serving a property are maintained in safe working order at all times. This includes making sure that installations are properly maintained, that appliances provided are safe for use, and that any issues which could pose a risk to tenants are dealt with promptly by qualified professionals.

Failure to comply with this duty can expose tenants to significant danger, including fire, electrocution, or carbon monoxide poisoning. Norwich City Council therefore views this as a *serious matter* and will consider non-compliance to be a breach of the HMO Management Regulations. Civil penalties will be determined based on the seriousness of the offence, the scale of the landlord's property portfolio, and any aggravating or mitigating factors identified. The following section explains how penalties are applied when this duty is breached.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the gas and electricity supply as a Serious matter, attracting a financial penalty with a starting level of £12,500.

Under the Council's policy the civil penalty for a landlord controlling/owning/managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £17,500.

When deciding how serious a breach is under the Management of Houses in Multiple Occupation (England) Regulations 2006, the Council will consider whether the manager has failed in their duty to act responsibly, communicate clearly with tenants, or maintain safe living conditions.

Certain situations make a breach more serious. These include:

- Failing to provide tenants with important information about how the property is managed or who to contact for repairs or emergencies.
- Not displaying or making available the manager's contact details within the property.
- Ignoring repeated requests from tenants or the Council for information that affects their safety or wellbeing.
- Misleading tenants about their rights or responsibilities.
- Demonstrating a pattern of poor communication or non-compliance across multiple properties.

Where these behaviours are identified, the Council will treat the offence as more serious and may apply a higher penalty within the relevant range to reflect the increased risk to tenants and the manager's failure to meet their legal duties.

In some cases, there may be wider issues that make an offence more serious, even if they are not specific to one regulation. These are called *aggravating factors* and help the Council decide whether a higher civil penalty is appropriate.

The Council will consider the following when assessing the overall conduct and management standards of the landlord or agent:

- Repeated non-compliance, evidence of similar offences or previous enforcement action taken by the Council or another authority
- Financial gain or deliberate avoidance, where a landlord has profited from failing to carry out repairs, maintenance, or safety works
- Failure to cooperate, such as ignoring correspondence, obstructing access for inspections, or withholding information

- Risk to vulnerable tenants, where the breach places children, older people, or people with disabilities at particular risk
- Duration of the offence, where the breach has continued for an extended period without action being taken.
- Disregard for statutory notices, such as failing to comply with an Improvement Notice, Emergency Remedial Action, or other formal requirement.

Where one or more of these factors are present, the Council may apply a higher penalty within the permitted range to reflect the seriousness of the offence and to act as a deterrent against repeated or deliberate breaches.

Failure to Maintain Common Parts, Fixtures, Fittings and Appliances

Landlords and property managers are legally responsible for ensuring that the shared areas and facilities in a House in Multiple Occupation (HMO) are kept in good repair, clean, safe, and free from hazards. This duty, set out in the Management of Houses in Multiple Occupation (England) Regulations 2006, applies to all communal areas such as hallways, staircases, kitchens, bathrooms, and any shared appliances or equipment.

Failure to properly maintain these areas can lead to unsafe or unsanitary living conditions, causing potential injury, illness, or inconvenience to tenants. Common examples of breaches include damaged flooring or staircases, faulty lighting or electrical fittings, broken handrails, defective appliances, and poor hygiene standards in shared kitchens or bathrooms.

Norwich City Council views this as a *moderate but important duty* because poor management of common parts often indicates neglect of wider property standards and can increase health and safety risks for multiple households. Civil penalties are therefore applied proportionately, taking into account the seriousness of the breach, the scale of the landlord's portfolio, and any aggravating or mitigating factors identified.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the common parts, fixture, fittings and appliances as a Moderate matter, attracting a financial penalty with a starting level of £7,500

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no

other relevant factors or aggravating features [see below], will attract a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £12,500.

In some cases, a failure to meet management responsibilities under the HMO Management Regulations will be considered more serious because of the way the property has been managed or the impact on tenants.

The Council will take a firmer approach where there is evidence of:

- Repeated failures to respond to tenant concerns or Council correspondence
- A lack of clear and accurate information being given to occupiers about who manages or owns the property.
- Managers who have not displayed required contact information within the property, or have made it difficult for tenants to identify or contact them
- Poor record keeping or failure to provide requested documentation such as gas safety, electrical safety or fire safety certificates.
- Evidence that the landlord or manager has attempted to mislead, obstruct or delay Council officers carrying out their statutory duties.
- Situations where poor management practices have contributed directly to unsafe, unsanitary, or stressful living conditions for tenants.

Where one or more of these issues are identified, the Council will consider this an aggravating factor and may apply a higher civil penalty within the relevant range to reflect the seriousness of the breach.

In addition to factors specific to management breaches, there are wider circumstances that may make any housing offence more serious. These *aggravating factors* help the Council decide whether a higher civil penalty is justified to reflect poor conduct or disregard for legal duties.

The Council will consider the following:

- Previous offences or non-compliance, where the landlord or agent has been subject to enforcement action or formal warnings for similar issues
- Financial gain or deliberate avoidance, where the offence has saved the landlord money or generated profit through neglect or unlawful practice
- Failure to cooperate – where the landlord has ignored correspondence, refused access, or otherwise obstructed the Council's investigation

- Risk to tenants' health or safety, especially where vulnerable people such as children, older residents, or those with disabilities are affected
- Prolonged breaches, where the offence has continued for a significant period without action to correct the problem
- Disregard for statutory notices, for example, failure to comply with Improvement Notices, Prohibition Orders, or Emergency Remedial Action Notices
- Intentional or reckless behaviour, where the landlord or agent was aware of the risk but chose not to act.

Where one or more of these factors apply, the Council may impose a higher penalty within the permitted range. This approach ensures that penalties are proportionate, act as an effective deterrent, and promote consistent compliance across the private rented sector.

Failure to Maintain Living Accommodation

Landlords and property managers are legally required to ensure that all living accommodation provided to tenants is maintained in a safe, clean, and habitable condition. This includes individual rooms and shared living areas such as kitchens, bathrooms, and lounges within Houses in Multiple Occupation (HMOs).

This duty exists to protect tenants from health and safety hazards caused by disrepair, poor cleanliness, or neglect. Common examples of breaches include damp and mould growth, damaged flooring or plasterwork, broken windows or doors, unsafe heating or lighting, or the presence of pests due to poor hygiene.

Norwich duty exists to protect tenants from health and safety hazards caused by disrepair, poor cleanliness, or neglect. Common examples of breaches include damp and mould growth, damaged flooring or plasterwork, broken windows or doors, unsafe heating or lighting, or the presence of pests due to poor hygiene.

Where evidence shows that a landlord or manager has failed to maintain living accommodation to a satisfactory standard, the Council will take proportionate enforcement action. The level of penalty will depend on the seriousness of the breach, the size of the landlord's portfolio, and any aggravating or mitigating factors identified.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the living accommodation as a Moderate matter, attracting a financial penalty with a starting level of £7,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £12,500.

In some situations, a manager's failure to maintain living accommodation is made more serious because of poor management behaviour or repeated non-compliance. These are known as *aggravating factors* and can increase the level of civil penalty issued by the Council.

The Council will treat a breach more seriously where there is evidence that:

- The landlord or manager has failed to respond to tenant complaints or Council contact in a reasonable timeframe.
- The property manager has not displayed accurate contact details or made themselves available to occupiers.
- There is a pattern of neglect or multiple breaches across properties managed by the same person or organisation.
- Previous enforcement action or warnings have been ignored or only addressed after formal intervention.
- Records or safety documents (such as gas or electrical certificates) have not been provided when requested.
- Tenants have been misled about their rights or discouraged from reporting hazards or repairs.
- The failure has caused significant inconvenience, distress, or risk to occupiers' health and safety

When one or more of these aggravating factors apply, the Council will consider the overall seriousness of the breach and may increase the penalty amount within the permitted range. This approach ensures penalties are fair, proportionate, and act as a strong deterrent against poor management practices.

In addition to poor management practice, there are wider circumstances that can make any offence more serious. These *generic aggravating factors* apply across all types of housing breaches and are used by the Council to ensure penalties reflect both the impact of the offence and the conduct of the landlord or agent.

The Council may increase the level of a civil penalty where evidence shows that:

- The breach was deliberate or reckless, the landlord or manager knew of the issue but failed to take reasonable steps to resolve it.
- There was financial gain or avoidance of cost, for example, where the landlord saved money by not carrying out required works or avoided licensing fees.
- The offence continued for a long period, particularly where the landlord ignored advice or failed to act after being made aware of the problem.
- The breach affected vulnerable tenants, including children, older people, or residents with disabilities, health conditions, or language barriers.
- There was non-cooperation with the Council, such as failing to respond to correspondence, obstructing access, or providing misleading information.
- There is a history of non-compliance, where the landlord or agent has previous convictions, civil penalties, or formal warnings for housing offences.
- The landlord's conduct caused distress or hardship, for instance, if the tenants experienced unsafe, unsanitary, or degrading living conditions

Each case will be assessed on its individual facts. The presence of one or more aggravating factors will increase the overall penalty amount within the Council's published range. The aim is to ensure that enforcement action is proportionate, consistent, and protects tenants by holding landlords to account for serious or repeated failures.

Duty to Provide Waste Disposal Facilities

Landlords and property managers must ensure that suitable and sufficient waste disposal facilities are provided and maintained within every licensed HMO. This duty is in place to protect public health, prevent pest infestations, and maintain the cleanliness and appearance of shared neighbourhoods.

Poorly managed waste facilities can lead to overflowing bins, littering, and unhygienic conditions that affect both tenants and the wider community. The Council expects all landlords to provide clear guidance to tenants on how waste should be stored and presented for collection, including the correct use of recycling and refuse bins.

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to provide waste disposal facilities as a Moderate matter, attracting a financial penalty with a starting level of £7,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no

other relevant factors or aggravating features [see below], will attract a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £12,500.

In some cases, the failure to provide adequate waste disposal facilities may be made worse by poor management practice or repeated non-compliance. These are known as *aggravating factors* and may result in a higher penalty.

The Council will consider increasing the civil penalty where:

- The landlord or manager has ignored previous advice, requests, or warnings about waste management.
- Waste regularly accumulates in shared areas or obstructs access routes
- Bins are persistently left overflowing or in unsanitary conditions
- Tenants have not been provided with clear written instructions on collection days, recycling, or proper waste disposal.
- The landlord or manager has failed to cooperate with the Council or its waste collection service.
- The issue has caused nuisance or harm to neighbouring residents or public areas.

Each case will be considered on its own facts. The aim is to ensure that enforcement action is fair and proportionate, while promoting responsible property management across the private rented sector.

In addition to specific management issues, there are wider circumstances that can make any breach more serious. The Council may also adjust the level of penalty where:

- The offence was deliberate or financially motivated.
- The landlord or manager has a history of previous offences, warnings, or enforcement action.
- The failure has caused harm or risk to vulnerable tenants, such as older people or those with disabilities.
- There has been a lack of cooperation, false statements, or attempts to obstruct an investigation.
- The breach persisted for an extended period despite opportunities to comply.

By taking these factors into account, the Council ensures that penalties reflect both the severity of the offence and the conduct of those responsible. The goal is to create a fair, transparent, and effective enforcement system that protects tenants and supports good landlords.

Breach of Licence Conditions

Under Section 72(3) of the Housing Act 2004, failure to comply with any condition of an HMO licence is a criminal offence. If prosecuted through the courts, the offence carries an unlimited maximum fine, reflecting the seriousness with which breaches of licence conditions are regarded. Norwich City Council may, as an alternative to prosecution, impose a financial penalty under its civil penalties policy, ensuring that enforcement action remains proportionate, fair, and effective in promoting compliance

Every House in Multiple Occupation (HMO) licence issued by Norwich City Council includes a set of mandatory and discretionary conditions designed to protect the safety, wellbeing, and comfort of tenants. These conditions ensure that landlords and managers maintain suitable standards of property management, safety, and accountability.

All granted HMO licences impose a set of conditions on the licence holder. These conditions impose a variety of obligations relating to the letting, management and condition of the rented property.

It is important that the manager of a licensed property complies with all imposed conditions, but the Council recognises that a failure to comply with certain licence conditions is likely to have a much bigger impact on the safety and comfort of residents than others.

Failure to comply with licence conditions related to:

- Signage or the provision of information for tenants
- Provision of written terms of occupancy for tenants
- Procedures regarding complaints
- Procedures regarding vetting of incoming tenants
- Compliance with deposit protection legislation
- The recording and provision of information regarding rent payments
- Procedures relating to rent collection
- The provision of information regarding occupancy of the property
- The provision of information regarding change of managers or licence holder details
- The provision of information related to changes in the property
- The provision of information relating to a change in mortgage provider
- Requirements relating to the sale of the property
- Attending training courses
- Requirements to hold insurance
- The provision of insurance documentation
- The provision of or obtaining of suitable references

- The provision of keys and alarm codes
- Security provisions for access to the property
- The provision of suitable means for occupiers to regulate temperature

The Council would view the seriousness of the offence of failing to comply with a licence condition relating to the bullet points directly above as a Mild matter, attracting a financial penalty with a starting level of £2,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £2,000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2,000, attracting a civil penalty of £4,500.

Failure to Comply with Licence Conditions: Property Maintenance, Repairs and Access

Landlords and managers of licensed HMOs are responsible for ensuring regular inspections, timely repairs, safe waste management, compliance with fire safety and furnishing standards, and reasonable access for works and inspections.

Failure to meet these obligations can compromise tenant safety and wellbeing and disrupt essential maintenance of the property.

Failure to comply with licence conditions related to:

- Procedures and actions regarding Inspections
- Procedures regarding Repair issues
- Maintenance and use of common parts (including gardens, outbuildings and property exterior) and living areas
- Safeguarding occupiers and minimising disruption during works
- The provision of information regarding alterations and construction works
- Procedures regarding emergency issues
- Waste and waste receptacles, pests, minor repairs, alterations or decoration
- Giving written notice prior to entry

- Allowing access for inspections
- Minimising risk of water contamination
- The compliance of furnishings or furniture with fire safety regulations

The Council would view the seriousness of the offence of failing to comply with a licence condition relating to the bullet points directly above as a Moderate matter, attracting a financial penalty with a starting level of £7,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000 attracting a civil penalty of £12,500.

The following factors may increase the penalty amount

- Evidence of neglect or disregard for property conditions.
- Failure to respond promptly to urgent repair or safety issues.
- Risk to the health, safety, or wellbeing of tenants
- Previous history of similar non-compliance

Failure to Comply with Licence Conditions: Fire, Gas, Electrical and Safety Management

This section covers licence conditions relating to essential property safety and landlord accountability, including documentation for fire, gas, and electrical safety, as well as procedures for managing anti-social behaviour (ASB).

Compliance with these requirements is critical to protecting tenants from life-threatening hazards, ensuring buildings are safe and well maintained, and maintaining public confidence in the private rented sector. Failure to meet these obligations demonstrates a significant disregard for safety and regulatory duties. It can expose tenants and neighbours to serious risks such as fire, carbon monoxide poisoning, or unsafe electrical installations.

Failure to comply with licence conditions related to:

- The provision of documentation regarding energy performance certificates, fire detection and prevention, emergency lighting, carbon monoxide detection, fire risk assessments, gas installations, electric installations and appliances.
- Notification of legal proceedings, contraventions and other relevant information that may affect a fit and proper person status.
- Procedures and actions regarding anti-social behaviour.

The Council would view the seriousness of the offence of failing to comply with a licence condition relating to the bullet points directly above as a Serious matter, attracting a financial penalty with a starting level of £12,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £17,500.

In determining the final penalty, the Council will consider whether any of the following factors are present:

- The number and, or nature and, or extent of the licence condition regulation breach(es) and, or the deficiencies within each licence condition breach.
- Serious risk to life or health, such as missing fire alarms, faulty wiring, or gas safety failures.
- Evidence of neglect or avoidance, including ignoring safety inspection reminders or requests from the Council
- Failure to take prompt action to address identified risks or rectify documentation gaps.
- Previous warnings or enforcement history relating to fire, gas, or electrical safety
- Failure to engage with tenants or authorities in resolving ASB issues or safety breaches.
- Multiple or repeated breaches across the same or other properties owned or managed by the same person.
- Whether the landlord or manager has financially benefited from non-compliance

- The vulnerability of tenants, such as families with children, older residents, or disabled occupants
- The degree of cooperation shown during the investigation.
- Whether there was an attempt to conceal or falsify documentation (e.g. gas or electrical safety certificates)
- The overall pattern of behaviour, including past breaches, poor record keeping, or non-responsiveness to Council communication.

This category of offence reflects failures that have the greatest potential impact on health and safety. Landlords and managers are expected to take proactive steps to ensure compliance with all fire, gas, and electrical safety requirements. The Council's approach ensures that penalties are both proportionate and deterrent, encouraging higher standards of management and reducing risk across the private rented sector.

Failure to Comply with Licence Conditions: Overcrowding, Room Sizes and Occupancy Limits

The adequacy of space and occupancy within a property is fundamental to ensuring that residents live in safe, healthy, and humane conditions. Breaches relating to overcrowding, minimum room sizes, or unauthorised use of rooms for sleeping are among the most serious contraventions under HMO licensing.

When landlords allow more people to occupy a property than it was designed or licensed for, it can lead to significant health and safety risks, including fire hazards, increased spread of disease, insufficient ventilation, and structural strain on the property. It also undermines the Council's efforts to manage housing standards across the city and places avoidable pressure on local services.

Failure to comply with licence conditions related to:

- Minimum floor areas
- Occupancy rates
- Occupancy of rooms or areas that are not to be used as sleeping accommodation
- Limits on number of households allowed to occupy the property or part of the property

The Council would view the seriousness of the offence of failing to comply with a licence condition relating to the bullet points directly above as a Very Serious matter, attracting a financial penalty with a starting level of £17,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or

aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £22,500.

Where breaches result in serious risk or harm, the Council may apply higher penalties.

Aggravating factors include:

- The number and, or nature and, or extent of the licence condition regulation breach(es) and, or the deficiencies within each licence condition breach.
- Severe overcrowding causing risk to health or fire safety
- Occupancy by vulnerable individuals or families with children in substandard rooms.
- Deliberate over-letting or false representation of occupancy levels to increase profit
- History of similar offences or non-compliance with previous improvement notices.
- Failure to act following written advice, warnings, or compliance checks.
- Use of rooms clearly unsuitable for sleeping (e.g. cellars, attics without fire escape).

As set out under 'Failure to comply with an Improvement Notice'. The Council may also consider:

- Financial gain obtained by overcrowding or letting unfit rooms.
- The vulnerability of occupants or presence of children, elderly persons, or those with disabilities.
- Whether the landlord failed to cooperate with inspections or attempted to obstruct officers
- The duration of the offence and whether it occurred across multiple properties
- Any previous enforcement history relating to space, safety, or housing management standards.

Overcrowding and space standard breaches pose one of the highest risks to tenants and the community. They are rarely accidental and often stem from poor management or deliberate profiteering.

The Council's enforcement approach is therefore designed to be firm but proportionate, ensuring that penalties reflect the seriousness of the harm caused and act as a deterrent against unsafe, exploitative housing practices.

Failure to Comply with Licence Conditions: Fire Safety, Gas, and Means of Escape

Compliance with fire safety, gas safety, and emergency escape requirements is the cornerstone of tenant protection in Houses in Multiple Occupation (HMOs). These conditions exist to prevent injury or loss of life arising from fire, carbon monoxide poisoning, or electrical failure.

Landlords and property managers have a legal duty to ensure that all required detection, warning, and escape systems are properly installed, tested, and maintained. The absence or failure of such systems place's occupants at extreme risk.

Failure to comply with licence conditions related to:

- The condition or existence of smoke alarms, carbon monoxide alarms, emergency lighting, gas installations, electric installations and appliances, fire detection or other fire safety features or requirements.
- The prevention including provision of safe means of escape.

The Council would view the seriousness of the offence of failing to comply with a licence condition relating to the bullet points directly above as a Severe matter, attracting a financial penalty with a starting level of £22,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £22,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and. or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £27,500.

The Council will consider additional aggravating factors that heighten the seriousness of the breach, such as:

- The number and, or nature and/or extent of the licence condition regulation breach(es) and, or the deficiencies within each licence condition breach.
- Direct risk to life due to absent or faulty safety equipment

- Evidence of neglect or wilful disregard of fire or gas safety regulations
- Multiple or repeated failures to maintain alarms or safety systems across properties
- Failure to act after formal warnings, inspections, or previous enforcement
- Presence of vulnerable occupants (e.g. children, elderly, or disabled tenants)
- Deliberate tampering with smoke alarms or fire doors to reduce maintenance costs.

As set out under 'Failure to comply with an Improvement Notice' above, when determining the final penalty, the Council will also take into account:

- The extent of harm or risk created by the failure
- The duration of non-compliance
- Financial benefit obtained through avoiding safety improvements
- The level of cooperation shown during investigation
- Any previous record of poor compliance or related convictions.

This category represents the most critical area of property safety compliance. Fire, gas, and electrical safety measures exist to prevent catastrophic outcomes, including loss of life. Breaches in these areas are seldom accidental; they often result from inadequate management systems or deliberate neglect.

Norwich City Council's enforcement approach ensures that penalties are firm, fair, and proportionate, providing a strong deterrent to unsafe practices while upholding the highest standards of housing safety across the private rented sector.

Failure to Comply with Regulation 3 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Electrical safety failures present a direct and immediate risk to life. Regulation 3 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 places a legal duty on landlords to ensure that electrical installations in rented homes are safe, tested, and maintained.

The regulation requires every electrical installation to be inspected and tested at least every five years by a qualified person, with a written report (Electrical Installation Condition Report; EICR) issued and shared with tenants and, when requested, the local housing authority. Where defects are found, landlords must complete remedial or investigative work within 28 days (or the shorter period specified in the report) and provide evidence of completion to both tenants and the Council.

Duties of private landlords in relation to electrical installations:

- (1) A private landlord who grants or intends to grant a specified tenancy must:

- (a) ensure that the electrical safety standards are met during any period when the residential premises are occupied under a specified tenancy.
 - (b) ensure every electrical installation in the residential premises is inspected and tested at regular intervals by a qualified person; and
 - (c) ensure the first inspection and testing is carried out—
 - (i) before the tenancy commences in relation to a new specified tenancy; or
 - (ii) by 1st April 2021 in relation to an existing specified tenancy.
- (2) For the purposes of sub-paragraph (1)(b) "at regular intervals" means—
- (a) at intervals of no more than 5 years; or
 - (b) where the most recent report under sub-paragraph (3)(a) requires such inspection and testing to be at intervals of less than 5 years, at the intervals specified in that report.
- (3) Following the inspection and testing required under sub-paragraphs (1)(b) and (c) a private landlord must—
- (a) obtain a report from the person conducting that inspection and test, which gives the results of the inspection and test and the date of the next inspection and test.
 - (b) supply a copy of that report to each existing tenant of the residential premises within 28 days of the inspection and test.
 - (c) supply a copy of that report to the local housing authority within 7 days of receiving a request in writing for it from that authority.
 - (d) retain a copy of that report until the next inspection and test is due and supply a copy to the person carrying out the next inspection and test; and
 - (e) supply a copy of the most recent report to—
 - (i) any new tenant of the specified tenancy to which the report relates before that tenant occupies those premises; and
 - (ii) any prospective tenant within 28 days of receiving a request in writing for it from that prospective tenant.
- (4) Where a report under sub-paragraph (3)(a) indicates that a private landlord is or is potentially in breach of the duty under sub-paragraph (1)(a) and the report requires the private landlord to undertake further investigative or remedial work, the private landlord must ensure that further investigative or remedial work is carried out by a qualified person within—
- (a) 28 days; or
 - (b) the period specified in the report if less than 28 days, starting with the date of the inspection and testing.
- (5) Where paragraph (4) applies, a private landlord must—
- (a) obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that—
 - (i) the electrical safety standards are met; or
 - (ii) further investigative or remedial work is required.
 - (b) supply that written confirmation, together with a copy of the report under sub-paragraph (3)(a) which required the further investigative or remedial work

to each existing tenant of the residential premises within 28 days of completion of the further investigative or remedial work; and
(c) supply that written confirmation, together with a copy of the report under sub-paragraph (3)(a) which required the further investigative or remedial work to the local housing authority within 28 days of completion of the further investigative or remedial work.

(6) Where further investigative work is carried out in accordance with paragraph (4) and the outcome of that further investigative work is that further investigative or remedial work is required, the private landlord must repeat the steps in paragraphs (4) and (5) in respect of that further investigative or remedial work.

(7) For the purposes of sub-paragraph (3)(e)(ii) a person is a prospective tenant in relation to

residential premises if that person—

- (a) requests any information about the premises from the prospective landlord for the purpose of deciding whether to rent those premises.
- (b) makes a request to view the premises for the purpose of deciding whether to rent those premises; or
- (c) makes an offer, whether oral or written, to rent those premises.

It is important that a private landlord complies with all aspects of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, however, the Council recognises that a failure to comply with certain aspects of Regulation 3 is likely to have a much bigger impact on the safety and comfort of residents than others.

Examples of non-compliance include, but are not limited to:

- Failing to arrange a valid EICR within five years or before the start of a tenancy
- Ignoring Code C1 (“danger present”) or C2 (“potentially dangerous”) defects identified in an Electrical Installation Condition Report.
- Failing to complete remedial works within the 28-day deadline
- Not providing tenants with a copy of the Electrical Installation Condition Report within 28 days of inspection
- Failing to supply the report to the Council within seven days of a written request
- Re-letting a property without a valid Electrical Installation Condition Report or allowing occupation when serious faults are known.

The Council will consider the following as aggravating factors:

- Known safety defects (e.g. arcing, overheating, bare wiring) ignored or left unaddressed
- Failure to act on an EICR recommendation within the required timeframe.
- Evidence of deliberate avoidance or tampering with electrical systems to avoid costs

- Occupancy by vulnerable residents (such as families with children or disabled occupants)
- Repeat offences or pattern of electrical failures across multiple properties
- Failure to co-operate with the Council after requests for documentation.
- The length of non-compliance and whether tenants were left at risk for an extended period
- The financial gain achieved by avoiding inspection or remedial costs
- The degree of co-operation with investigating officers and willingness to remedy issues
- Any previous housing enforcement action by Norwich City Council or another authority

Electricity is a hidden hazard, defective wiring and equipment may appear harmless until they cause fire, shock, or fatal injury. Regular testing is a non-negotiable requirement for safe tenancy management

The Council's approach is to apply civil penalties that are firm, proportionate, and preventive, ensuring that landlords who neglect electrical safety face meaningful consequences while those who comply are supported to maintain high standards

Failure to Comply with Electrical Safety Reporting and Record-Keeping Duties

While the most critical electrical safety duties concern inspection, testing, and remedial work, Regulation 3(3)(b), (3)(d), and (3)(e) place additional administrative and communication requirements on landlords.

These duties are designed to ensure transparency, accountability, and evidence of compliance, providing tenants and the Council with confidence that electrical safety standards are being properly met and maintained.

Specifically, these sections require landlords to:

- Provide tenants with a copy of the Electrical Installation Condition Report (EICR) within 28 days of inspection.
- Retain copy of the Electrical Installation Condition Report to supply to the next testing engineer; and
- Provide the most recent Electrical Installation Condition Report to any new or prospective tenant within the required timescales.

Failure to carry out these actions does not directly endanger life but undermines tenant protection and weakens the Council's oversight of safety standards.

The Council would view the seriousness of the offence of failing to comply with (3)(b), 3(d) or 3(e) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a Mild matter, attracting a financial penalty with a starting level of £2,500.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £2,000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2,000, attracting a civil penalty of £4,500.

The Council may increase penalties where the following aggravating factors apply:

- The number and/or nature and/or extent of the Electrical Safety Regulation breach(es) within each sub-regulation
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work
- Multiple failures to provide or retain reports across different tenancies or properties
- Refusal or delay in supplying the EICR to tenants or the Council when requested
- Use of unqualified or uncertified persons to conduct electrical testing or remedial work
- Failure to maintain records resulting in the loss of inspection history
- Deliberate avoidance of providing documents to conceal known issues or defects
- Repeat breaches following previous warnings or enforcement action

As set out under 'Failure to comply with an Improvement Notice' above, when determining the final penalty, the Council will also consider:

- Duration of non-compliance and any impact on tenant confidence
- Level of cooperation with officers during investigations or evidence request
- Previous enforcement history for administrative or safety-related non-compliance
- Financial gain obtained by disregarding reporting obligations.

Administrative compliance underpins physical safety compliance. While a missing report may not directly endanger life, it obstructs tenants' right to transparency and the Council's ability to enforce safety standards. The Council's approach ensures that even lower-level

non-compliance is addressed promptly and proportionately, preventing escalation into more serious breaches and maintaining public trust in housing safety enforcement across Norwich.

Failure to Comply with Core Electrical Safety Duties

The Council would view the seriousness of the offence of failing to comply with (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (5)(b) or (5)(c) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a Serious matter, attracting a financial penalty with a starting level of £12,500.

These sub-regulations set out the fundamental duties on landlords to ensure that electrical installations are safe throughout a tenancy.

They require landlords to:

- Ensure the property meets the required electrical safety standards at all times
- Arrange for inspection and testing of all electrical installations by a qualified person at prescribed intervals
- Act promptly on inspection findings, ensuring any necessary remedial or investigative work is completed by a competent professional within statutory timescales
- Provide tenants and the Council with copies of relevant reports and written confirmation once remedial work is completed.

Failing to comply with these requirements exposes tenants to a high risk of electrical fire, shock, or other hazards.

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £7,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and, or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £17,500.

The Council will consider the following aggravating factors when determining the level of penalty:

- The number and, or nature and, or extent of the Electrical Safety Regulation breach(es) within each sub-regulation.
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work.
- Failure to complete urgent remedial works within the prescribed 28-day period (or shorter timeframe specified)
- Evidence of disregard or delay in addressing electrical defects known to pose danger
- Multiple or repeated breaches across different tenancies or properties
- Failure to retain or provide evidence of safety inspections when requested by the Council
- Presence of vulnerable occupants, such as children, elderly residents, or those with disabilities
- Previous non-compliance history under housing or safety legislation.

As set out under 'Failure to comply with an Improvement Notice' above, the Council may also consider:

- Duration of non-compliance and whether tenants were left at risk for an extended period
- Degree of cooperation shown during investigation or enforcement.
- Financial gain obtained by avoiding safety compliance costs.
- Impact on tenant safety and comfort, including stress or disruption caused by unsafe conditions.

Electrical safety compliance is one of the most critical obligations placed on landlords. Unlike administrative oversights, failures in this category can have immediate and devastating consequences.

Norwich City Council applies civil penalties under these provisions to ensure that landlords take electrical safety with the gravity it deserves. Penalties are designed to be proportionate, consistent, and deterrent, ensuring that serious neglect is met with meaningful financial consequence while supporting a culture of proactive compliance across the city's private rented sector.

Failure to Complete Electrical Remedial or Investigative Work

The Council would view the seriousness of the offence of failing to comply with (4), (5a) or (6) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a Very Serious matter, attracting a financial penalty with a starting level of £17,500.

These provisions impose the highest-level obligations on landlords under the Electrical Safety Standards Regulations.

Where an Electrical Installation Condition Report (EICR) identifies faults requiring further investigative or remedial work, landlords must act swiftly and ensure that all works are carried out by a qualified person within 28 days (or sooner if specified).

Landlords must then:

- Obtain written confirmation that the remedial or investigative work has been completed and that the property now meets the required safety standards.
- Provide copies of the written confirmation and the original report to all existing tenants and to Norwich City Council within 28 days; and
- Repeat the full process where further defects or investigations are subsequently required.

Failure to meet these duties places occupants at significant and immediate risk of electrocution, fire, or serious injury

Under the Council's policy the civil penalty for a landlord controlling, owning, managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5,000, attracting a civil penalty of £12,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a significant property portfolio, being three, four, or five dwellings, and, or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17,500.

Under the Council's policy, the civil penalty for a landlord controlling, owning, managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and, or has demonstrated experience in the letting, management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5,000, attracting a civil penalty of £22,500.

The Council will consider increasing the penalty where one or more of the following apply:

- The number and, or nature and, or extent of the Electrical Safety Regulation breach(es) within each sub-regulation.
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work.
- Failure to complete remedial works within the statutory timeframe, leaving tenants exposed to danger
- Deliberate disregard of written findings or recommendations in an Electrical Installation Condition Report.
- Evidence of significant or recurring hazards such as overheating, arcing, or damaged installations
- Repeated breaches across multiple properties or over successive inspections

- Vulnerability of occupants, such as children, older people, or tenants with disabilities
- Failure to provide confirmation or reports when requested by tenants or the Council.

As set out under 'Failure to comply with an Improvement Notice' above, the Council may also consider:

- The length of time tenants were knowingly left at risk
- The financial gain obtained by avoiding the cost of remedial work
- The degree of cooperation with enforcement officers
- The landlord's previous enforcement history under housing or safety legislation

Electrical defects left unrepaired present one of the gravest hazards in any home. The Council therefore treats failures to complete or evidence remedial works as an act of serious negligence. Civil penalties at this level are intended not only to punish individual breaches but also to act as a deterrent to others operating within the private rented sector.

By enforcing these provisions firmly and consistently, Norwich City Council seeks to ensure that every private tenant can live in a property that is demonstrably safe and compliant with national electrical safety standards.

Process for Imposing a Civil Penalty and the Right to Make Representations

Before imposing a financial penalty on a person, the Council will give the person a Notice of Intent.

A person who is given a Notice of Intent may make written representations to the Council about the proposal to impose a financial penalty. Any representations must be made within a 28-day period, this period starting the day after the date on which the Notice of Intent was given. As the burden lies with the recipient of any such notice to explain why, exceptionally, the Council should, or should not, depart from the Civil Penalties Matrix and guidance above, the Council will expect the recipient of a Notice of Intent to explain and provide fulsome and cogent evidence to support the existence of any such circumstances when they make representations in response to the notice.

In the event of two or more persons receiving separate Notices of Intent for the same matter, it should be noted that acceptance/payment of a civil penalty by one person will not negate the Council's intention to impose a civil penalty on the second or further persons. Each person served with the Notice of Intent is considered individually liable to pay the civil penalty notified to them. It is therefore important that any recipient of a Notice of Intent takes the opportunity to make representations should they consider for any reason a civil penalty should not be individually imposed upon them.

After the end of the period for representations the Council will:

- (a) Decide whether to impose a financial penalty on the person, and
- (b) If it decides to impose a financial penalty, decide the amount of the penalty

In determining whether to impose a financial penalty, and the level of any penalty, the Council will consider any written representations received in the appropriate time period and will also consider the totality principle.

Furthermore, an offender's compliance with the identified breach during the representation period would not, in itself, be reason for the Council to determine that the imposition of a financial penalty was inappropriate. However, compliance at that stage may be relevant with respect to any mitigating factors that could decrease the amount of any imposed financial penalty.

If, following the receipt of written representations and/or the expiry of the time period to make written representations, the Council decides to impose a financial penalty on the person, it will give the person a Final Notice imposing that penalty.

The Final Notice will set out and summarise:

- a) The amount of the financial penalty,
- b) The reasons for imposing the penalty,
- c) Information about how to pay the penalty,
- d) The period for payment of the penalty,
- e) Information about rights of appeal, and
- f) The consequences of failure to comply with the notice

All enforcement and penalty decisions are made in accordance with Article 6 of the European Convention on Human Rights, ensuring every person has the right to a fair and impartial process. Representations are reviewed by officers independent of the initial investigation wherever practicable.

Each civil penalty decision will be recorded on the Council's systems, setting out the evidence, reasoning, and calculations used. Records will be retained in accordance with the Council's corporate retention schedule and may be reviewed as part of internal audit.

Use of Penalty Income

In accordance with the Rent Repayment Orders and Financial Penalties (Amounts Recovered) (England) Regulations 2017, any income received from civil penalties will be applied to the Council's private rented sector enforcement work. This ensures that financial penalties are used to promote compliance, improve housing standards, and protect tenants in Norwich. Any surplus will be returned in accordance with government regulations

Discounts

The Council will automatically apply the following discounted rates to any imposed financial penalties in the following circumstances:

- A discount of 15% of the original calculated financial penalty will be deducted from the penalty imposed in the Final Notice should the penalty be paid within a specified time period (normally 28 days).

Illustrative example

The landlord of a Mandatory HMO property fails to obtain a licence. They only operate two HMO properties and there are no other relevant factors or aggravating features. The offence is regarded as a Very Serious matter. Upon receipt of the 'Notice of Intent' to impose a £17,500 financial penalty. Written representations are made to the Council.

On account of the written representations received by the landlord, the council imposes a financial penalty of £16,000. In the event the landlord pays within the specified period a 15% discount is given so that the landlord makes a discounted payment of £13,600. The early payment discount encourages prompt resolution and reduces administrative cost to the Council, without undermining the deterrent purpose of the penalty.

Early Payment Discount

A 15 per cent discount will be applied if full payment is received within 28 days of the date of the Final Notice.

This discount is provided solely to reduce administrative costs and encourage early resolution. It is **not available** where an appeal has been lodged and will be **withdrawn** if payment defaults or instalment arrangements are breached

Publication of Civil Penalty

To promote transparency and public confidence in enforcement, the Council will publish a anonymised summary of civil penalty actions on its website. The published summary will normally include the offence category, the penalty amount, the seriousness band applied, and the date of the decision. Publication serves as a deterrent to non-compliance and provides assurance that enforcement is carried out consistently and fairly in accordance with statutory guidance.

Appeals Process Against a Civil Penalty

Stage 1: Representation to the Council

Before a formal penalty is imposed, the LHA must serve the landlord with a Notice of Intention to impose a financial penalty. This notice details the offence(s), the proposed penalty amount, and the reasons for the Council's decision.

The landlord then has a statutory right to make written representations (objections) to the LHA within a specified period, typically 28 days. This is the landlord's opportunity to challenge the Council's findings, introduce new evidence, or present mitigating factors that may lead the Council to withdraw the notice or reduce the proposed fine.

Following the consideration of any representations, the LHA will issue a Final Notice. This notice confirms the Council's decision, the final penalty amount, the reasons for the decision, and the deadline for payment (usually 28 days from the date of the Final Notice).

Stage 2: Appeal to the First-Tier Tribunal (Property Chamber)

If the landlord remains dissatisfied with the Final Notice, they have a right to appeal to the First-Tier Tribunal (Property Chamber). This is an independent judicial body responsible for handling disputes relating to property rights and obligations.

The appeal must be made within 28 days of the date the Final Notice was issued. Importantly, the appeal is not merely a review of the LHA's decision; the Tribunal will consider the matter afresh (a "de novo" hearing).

During the Tribunal process:

1. **Burden of Proof:** The LHA must still satisfy the Tribunal beyond reasonable doubt that the landlord committed the offence(s)—the same criminal standard of proof required for the initial penalty decision.
2. **Tribunal Powers:** The Tribunal can confirm the penalty, cancel it entirely, or reduce or increase the amount of the penalty. The Tribunal is required to apply the same principles for determining the penalty level as the LHA, having regard to guidance from the Department for Levelling Up, Housing and Communities (DLUHC).
3. **Enforcement Suspension:** The requirement to pay the penalty is suspended while the appeal to the First-Tier Tribunal is ongoing. If the appeal is dismissed, the penalty becomes immediately due.

A further appeal against the decision of the First-Tier Tribunal can, on points of law only, be made to the Upper Tribunal (Lands Chamber), provided permission to appeal is granted.

If a civil penalty remains unpaid after the appeal period, it may be recovered as a civil debt in accordance with section 249A(9) of the Housing Act 2004. The Council may also register the penalty as a local land charge or pursue recovery through the County Court.

Therefore, council officers responsible for making enforcement decisions, and imposing financial penalties against offending landlords, must adhere to stringent requirements for accuracy and transparency, in order to successfully defend against appeals.

Accuracy demands that officers are meticulous in gathering evidence ensuring that they meet the "beyond reasonable doubt" test of the criminal standard of burden of proof. This is achieved by ensuring that all dates, facts and identified breaches are correct and attributable to the named landlord.

Transparency requires officer to demonstrate and document their decision-making journey, explicitly showing how the penalty has been calculated by applying local enforcement policy and statutory guidance (such as that from the DLUHC). This includes detailing the assessment of the landlord's culpability and harm caused, the use of aggravating and mitigating factors, and how the fine was calculated to remove all financial gain to the landlord.

With this in mind throughout the life of a council officer's decision making, any appeals that do progress to the First-Tier tribunal, will withstand the scrutiny and challenge and create a robust defence for the council, reducing its exposure and where successfully defending an appeal, increase its effectiveness in managing the PSH and HMO sector.

In applying this policy, the Council has had regard to relevant First-tier Tribunal and Upper Tribunal decisions, including *Bristol City Council v Digs* (2018), *Nottingham City Council v Mohammed* (2020), and *Thanet DC v W* (2019), which confirm the importance of transparency, proportionality, and deterrence in determining civil penalties.

The First-tier Tribunal (Property Chamber) considers both whether a civil penalty should be imposed and, if so, the amount that is appropriate. In line with relevant Tribunal and Upper Tribunal case law (for example, *Redbridge LBC v Ekweozoh*, 2021), published local authority policies are normally followed unless there is a good reason to depart. This reinforces the importance of transparency, consistency, and adherence to statutory guidance when determining penalty amounts.

Monitoring and Review

All evidence collected in support of enforcement decisions will be handled securely in accordance with the Data Protection Act 2018 and the Council's Information Governance Framework

This policy will be reviewed at least every three years, or within six months of any legislative change, and updated following stakeholder consultation or Cabinet approval as required. The review will include benchmarking against comparable local authorities to ensure Norwich City Council continues to apply fair, proportionate, and legally defensible penalty levels.



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