

Response ID ANON-CH5P-HCX9-C

Submitted to **Improving the energy performance of privately rented homes**
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About you

What is your name?

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What is your organisation?

Organisation:
(Personal views)

Are you happy for your response to be published?

Yes

Would you like to be contacted when the consultation response is published?

Yes

How did you hear about this consultation?

Where did you hear of this consultation?:
Twitter

Other (please specify):

The consultation

Question 1 We would welcome views on possible impacts of the policy on the size of the PRS sector, the effect this could have on vulnerable households, and suggestions to mitigate this effect where it does occur, including any evidence.

Please provide your views below:

Question 2 Do you foresee any impacts for protected groups?

Don't know

Please explain your answer below and provide evidence to support your answer:

Question 3 We would welcome views on any possible long-term impacts of COVID-19 that could impact on making the required energy efficiency improvements from April 2025 and suggestions to mitigate this effect where it does occur, including any evidence.

Please provide your views below:

Improved (controlled, manual or automated) ventilation can be tied in with smarter heating controls to:

- a) Use CO2 or RH% as proxies for viral load to increase ventilation (or indicate that it should be increased).
- b) Turn down heat in areas being ventilated to mitigate impact on CO2 emissions and bills, especially while areas are unoccupied.

Ie, improved and smarter ventilation, especially spaces occupied by more than one household, seems likely to be a good idea, and impacts on other aims (fuel poverty, CO2) can be mitigated.

This should be allowed for and/or encouraged in new regulations.

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

Yes

Please explain your answer below:

However, EPC C won't be enough to (a) meet UK climate carbon targets cost-effectively (b) effectively eliminate heating-related fuel poverty, so I would prefer a higher efficiency target, and sooner.

Question 5 We would welcome your views on the pros and cons of these alternative metrics, in relation to our overall policy goals around reducing carbon emissions, fuel poverty, and energy bills.

Please provide your views below and provide evidence with your answer.:

Current carbon prices are likely a very poor proxy for true external costs of climate change from that carbon. The government should use the best estimate of true externalities (or the carbon price if it happens to be higher to forestall arbitrage) as the comparator against cost of measures etc.

Question 6 Do you agree with the government's preferred policy scenario of requiring 'new tenancies' to reach EER C from 1 April 2025 and 'all tenancies' to reach EER C by 1 April 2028? If not, do you have alternative suggestions?

Yes

Please provide evidence with your answer.:

However, EPC C won't be enough to (a) meet UK climate carbon targets cost-effectively (b) effectively eliminate heating-related fuel poverty, so I would prefer a higher efficiency target, and sooner.

Question 7 Do you agree with increasing the cost cap to £10,000 inclusive of VAT as our preferred policy proposal?

Don't know

If not, please explain why not and provide evidence with your answer.:

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

Yes

Please explain your answer:

Question 9 Should a requirement for landlords to install fabric insulation measures first be introduced?

Yes

If yes, when, and how should such a requirement be implemented? Please provide evidence to support your answer.:

Fabric first should be introduced as soon as possible, as passive measures likely to have the best overall longevity and carbon/cash return, and best reduce peak (as well as cumulative) demands on energy grids.

Cheap and simple non-fabric with similar life-time savings are legitimate alongside fabric upgrades or where such upgrades are not possible (immediately or indefinitely), but generally SHOULD NOT be complex or fragile (requiring continued user involvement, paid-for data connections, etc) as these methods do not persist well.

Eg see <http://www.earth.org.uk/EGC-WP1-D15-Customer-Research.html>:

The challenges lie not just in getting people to start saving energy, but in persisting those savings, especially non-automated measures, once the initial novelty has worn off.

Asymmetric messaging may also be necessary to avoid making the people who happen to be doing best from thinking that they are working too hard and slacking off! [AsymMsg]

Unfortunately, "Persistence has been rarely measured" [EEBP-MNGOV].

Fully-automated 'technical' measures reportedly last ~10 years, whereas those requiring continuing human intervention maybe 4 years. (Programmes measuring the persistence of manual measures tend to stop recording data after a year, which distorts the results to look like manual measures fail immediately after; the 4-year value is an inference.)

If no, what are the alternative installation methods that maximise energy efficiency outcomes? Please provide evidence to support your answer.:

Question 10 We would welcome views on the alternative of a dual metric target to reach both EER Band C cost metric and also EIR Band C carbon metric, with an increased cost-cap of £15,000 inclusive of VAT.

Please provide your views below:

Question 11 Should government introduce an affordability exemption?

Yes

If yes, we would welcome views on how such an exemption should be designed and evidenced, and any potential impacts on the PRS market.:

But only if not too easy to game by bad landlords.

Question 12 What should the eligibility criteria be for an affordability exemption if it is introduced, and how can the criteria accommodate fluctuations in a landlord's finances and/or in the value of a property?

Please provide your views below and provide evidence to support your answer:

Question 13 Should we incorporate TrustMark into energy performance improvement works?

Don't know

If not, please explain why not and provide evidence with your answer.:

Question 14 What role can the private rented sector play in supporting the rollout of smart meters and what are the barriers and possible solutions to achieving this?

Please provide your views below:

If landlords and energy suppliers can provide HaaS (Heating as a Service) schemes to tenants, backed by smart meters, this may be a positive incentive to all.

Especially if it is possible, though this is likely to be hard for the most vulnerable tenants, through ToU (time of use) to make substantial reductions in bills alongside carbon savings.

Question 15 We would welcome views on whether the PRS Regulations may need to be tightened further for the 2030s?

Please provide your views below and provide evidence to support your answer:

Yes.

Ideally most UK housing stock should be brought to a level where space heat is barely needed (eg passive house or Enerfit levels), which would make huge inroads in fuel poverty and its real costs (including health-related costs, eg see Warm Homes Oldham results), and CO2 emissions. That should be the aspirational aim.

Ventilation and overheating must not be overlooked with (a) covid and (b) rising temperatures and more extreme weather.

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

Please provide your views below and provide evidence to support your answer:

Question 17 Is the introduction of a PRS property compliance and exemptions database necessary to help local authorities to proactively enforce minimum energy efficiency standards?

Yes

If yes, should we include the per-property registration fee within the cost cap?:

Yes

If not, what alternatives to a PRS property compliance and exemption database would you suggest?:

Question 18 Do you agree that government should set a maximum total registration fee for landlords with a very large portfolio?

No

If yes, how many properties should qualify as a "very large" portfolio? What should the maximum fee be? :

If you do not agree to a maximum total registration fee proposal, do you have alternative suggestions?:

Something that does not automatically favour large landlords, since diversity of provision is valuable in this sector as in others.

Question 19 Should government seek primary powers to place a requirement on letting agents and online property platforms to only advertise and let properties compliant with the PRS Regulations?

Yes

If not, please explain why not and provide evidence with your answer.:

Question 20 Should government remove the seven to twenty-one day exemption period on landlords making all reasonable efforts to provide a valid EPC prior to a property being marketed or let?

No

If not, please explain why not and provide evidence with your answer.:

Question 21 Should government increase the level of the fixed civil penalty fine for offences under the EPB Regulations (currently set at £200)?

Yes

If yes, how high should the fine be?:

In proportion to the rental value to stop it being an acceptable 'cost of business'.

Question 22 Should government enable LAs to inspect properties for PRS compliance?

Yes

If not, please explain why not and provide evidence with your answer.:

Question 23 Should government permit local authorities to use EPC Open Data for some phases of PRS enforcement?

Yes

Please explain your answer below and provide evidence to support your answer:

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

Yes

Please explain your answer below and provide evidence to support your answer:

Either this, or a reduction in time before the EPC expiry, eg to 5 years.

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

Yes

Please explain your answer below and provide evidence to support your answer:

Question 26 How can the most consistent set of recommendations in the EPC be assured? Does using only the most recent SAP methodology allow this?

No

Please explain your answer below and provide evidence to support your answer:

I think using the latest version is good, and for example allows properly for the rapid decarbonisation of electricity for heat-pumps, but I suggest that any recent revision up to a few years old would be fine, assuming regular SAP updates in future.

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

Yes

Please explain your answer :

One should be obtained but obligations stemming from the computed rating should be mitigated where there is conflict for example with conservation laws.

There should still be a presumption in favour of improved energy efficiency even if inconvenient, as a public good. Many other rules (eg sanitation and electrical) are still required to be observed in these situations, even when inconvenient or expensive.

28 Should government seek primary powers to increase the maximum fine level to £30,000 per property for each breach of the PRS Regulations?

Yes

If yes, should it be adjusted for inflation? Please provide evidence with your answer.:

If not, what would be an alternative, appropriate maximum fine level? Please provide evidence with your answer.:

29 Should government introduce powers for tenants to request that energy performance improvements are carried out where a property is in breach?

Yes

If yes, how could a redress mechanism be devised?:

Up to removal of property from landlord's control by CPO, possibly compensated estimated market value minus three times the cost of improvements to make it financially worthwhile to do the works.

Some leeway for landlords in genuine temporary difficulties should be allowed.

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

Yes

Please explain your response below :

31 Do you agree that the updated exemption regime should come into force on 1 April 2025?

Yes

If yes, do you agree that the property compliance and exemptions database should be opened six months prior to commencement of exemptions?:

If not, please explain why.:

32 Should the 'new landlord' temporary exemption be simplified so that it applies to any person who has become a landlord within the last six months?

Don't know

Please explain your answer and provide evidence to support your answer:

We need to be fair to landlords especially in unforeseen periods of financial stress as currently observed with covid, but gaming the system should be minimised, for the benefit of tenants and the wider world (climate change).

If you would like to upload any supporting evidence, please do so here.

File upload:

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