

Request 9273 Criminal Prosecutions on formal notices served to private landlords

This FOI request is for the attention of the council department that deals with criminal prosecutions against private landlords and general enforcement activity in the private rented sector.

1) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Service of an abatement notice ss.79-82, Environmental Protection Act 1990.
Please break this down for 2018/2019, 2019/2020 & 2020/2021.

2) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234 of the Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

3) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 1 hazards (ss.20, Housing Act 2004).

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

4) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 2 hazards (ss.21, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

5) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency remedial order (section 40, Housing Act 2004) because the dwelling

has a category one hazard that poses an immediate risk to the occupants

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

6) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency prohibition order served because the dwelling has a category one hazard that poses an immediate risk to the occupants (section 43, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

7) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

A criminal offence under section 72, Housing Act 2004

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

8) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Repayment of rent if occupier(s) was in receipt of housing benefit and applied to a Residential Property Tribunal for repayment of up to 12 months' rent (ss.73-75, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

10) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Section 331 of the Housing Act 1985 (causing or permitting overcrowding)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

11) How much (£) do these prosecutions cost on average for the local authority?

12) How much (£) does a civil penalty cost the local authority on average?

Response

Environmental Health have not served any prosecutions over these years. We have not prosecuted anyone under the criteria for Question 8.

On the criminal prosecution side I don't believe Housing have ever taken this type of action.

We are in the process of investigating housing offences with a view to take criminal actions, where we can secure evidence, but this is new to this authority and we haven't worked out the average cost of investigation yet.

As general guidance we do not pursue a criminal investigation if the loss to the authority is <£500.