

Private sector housing research



Prosecuting landlords for poor property conditions

Research findings on the resources and timescales for councils in prosecuting private landlords in cases of poor property conditions, and the level of fines awarded in court

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1. Introduction

The LGA has commissioned research on the resources and timescales for councils in prosecuting private landlords in cases of poor property conditions, and the level of fines awarded in court. This research project has comprised of the following activities

1. An assessment of the levels of fines and costs awarded by the courts over a 22 month period in three councils: Bristol, Redbridge and Wolverhampton. These councils provided details of 24 cases in total. The analysis of this data is presented in section 5.
2. Eight cases were studied in detail to analyse trends and key stages in the process. Bristol, Redbridge and Wolverhampton provided two cases each. Cambridge and Coventry councils provided a recent case each for analysis. Section 6 sets out the detailed findings on the time spent and costs involved. Case studies and tools used by the councils in the process of prosecution are provided in the second part of this report.

Prosecutions are generally taken only where the landlord refuses to engage with council officers and there is no prospect of the remedial work being carried out. The exception to this is in rare cases where the housing conditions are so bad that there is an immediate danger to the lives of the tenants. An overview of the stages involved in the process is provided in Section 3.

2. Key findings

Prosecution is a final resort: Except in one case presenting serious risk to life, the councils tried to encourage and persuade the landlord to secure improvements to bring the property to the standard required by law. This research project did not investigate informal activity by councils in detail, but views from case officers and experience from housing networks (for example CIEH housing networks) indicates that informal action saves a lot of time and effort for both the council and the landlord.

The level of fines vary greatly: Bristol, Redbridge and Wolverhampton councils obtained convictions in all of the 24 cases which they took to court in the last two years. All the defendant landlords were fined by the courts, but the level of fines varied greatly. The majority of the fines were under £5,000, but in seven of the twenty-four cases the fines were over £9,000.

In three of the eight cases studied in-depth, the fines were lower than the case officers expected, based on the seriousness of the offence and the maximum fine available to the magistrate. A fine of £100 was awarded in one case where the landlord claimed to have a very low income. There was no correlation between the fines and the housing conditions or the number of tenants affected.

The processes for prosecution are complex: the process of prosecuting landlords for renting

properties in poor condition was long and complex in the case study areas. Delays were often caused by landlords; for example in three of the cases councils had to obtain a warrant as the landlord failed to attend a property inspection. In the eight cases studied in depth, it took between six and sixteen months from identifying the poor housing conditions to the court case; the average time was 11 months.

Costs are often awarded by the courts but do not always meet the full costs incurred by the council: The court awarded costs in all but one of the 24 prosecution cases taken by Bristol, Redbridge and Wolverhampton councils; these varied from £251 to £6,000. The in-depth study of the eight cases found that the cost to the council for prosecuting landlords is high and that the full costs were not being reclaimed through the court, with the exception of cases taken by Bristol City Council. In six of the eight cases studied in-depth, the court awarded the full amount requested by the council (see Table 2 for details). However the level of detail of costs recorded and the hourly rates charged by the councils varied. One council was reluctant to ask for the full costs as they thought they would not be considered to be reasonable. Bristol was successful in reclaiming the full cost of their two cases in court.

Most landlords complied with the relevant legislation following conviction. The case officers expected the experience of prosecution to deter landlords from committing further offences in the future. However, in the case presenting the most serious offence, a further contravention has occurred and a second prosecution is being considered.

3. Methodology

In February 2014 the LGA asked councils to volunteer to provide details of cases where they have successfully prosecuted private landlords. Five councils were selected from the volunteers to cover a variety of different types of council and political balance, and where recent prosecutions have taken place.

The five councils were asked to provide information on cases they had taken to court. In the event, Bristol City Council, London Borough of Redbridge and Wolverhampton City Council provided details of fines and costs awarded in all cases taken to court since April 2012 and in-depth information on two typical cases. Cambridge City Council and Coventry City Council each provided in-depth information on one case they had taken to court. In total 26 cases formed the basis of this research project.

The consultant analysed the information and obtained further details from the councils, including telephone conversations with private housing team managers and case officers, to write the report. The findings were submitted in an interim report on 9 March and draft for publication on 28 March 2014.

This study focuses on prosecution cases involving poor housing conditions. It does not discuss issues on the failure to licence HMOs, although two of the cases in the in-depth study including offences of failure to licence an HMO as well as disrepair. It is common for these two types of cases to be taken together, but they are separate issues.

Where the term “landlord” is used in this study, it may be just one individual landlord or a husband and wife team and/or a company; it can also be a letting agent.

4. The context for prosecution

4.1. Legal powers

Prosecution cases against landlords for poor housing conditions are tried in magistrates’ courts. They are criminal offences which have to be proven beyond reasonable doubt. The maximum fine for a landlord who is found guilty is generally £5,000 per offence, but unlimited fines are about to be introduced.

Landlords are usually prosecuted under one of two following offences which specifically relate to poor housing conditions:

- Failure to comply with an improvement notice served under the Housing Health and Safety Rating System (HHSRS)¹, for all types of rented properties.
- Breach of the houses in multiple occupation (HMO) management regulations, for HMOs only².

4.2. Alternatives to prosecution

Except in cases where there was a serious risk to the physical safety of the tenant, the councils in our study tried to encourage and persuade the landlord to carry out remedial works to bring the property to the legal standard.

It was not possible in the time available for the study to get comparable details from the councils of the often long and involved process of encouraging landlords to do the works required. In the author’s experience, every council will have an enforcement policy that sets out good practice in working with landlords and guides the case officer through the process. From experience gained in wider private housing work outside this study, we can say that the process usually involves an explanation of the works which need to be done, followed by a letter containing a schedule of the works. The case officer may also talk to the owner and write to explain the

¹ Housing Act 2004, Part 1

² Management of Houses in Multiple Occupation Regulations 2006

landlord's responsibilities and what the law requires. This informal action saves a lot of time and effort for both the council and the landlord. Some landlords will respond to this approach at an early stage, others need more persuasion or may not respond until an improvement notice is served or a prosecution is threatened.

In the author's experience, prosecutions are generally taken only where the landlord refuses to engage with council officers and there is no prospect of the remedial work being carried out. The exception to this is in rare cases where the housing conditions present a serious risk to the physical safety of the tenants and enforcement action is taken immediately³. This is a general principle for all councils in ensuring that immediate danger to life is tackled swiftly and effectively. In this piece of research officers from Wolverhampton found a property with risks severe enough for them to take immediate action.

A council can issue a formal caution to the landlord, as an alternative to prosecution. This can only happen when the landlord admits that he/she has committed the offence(s)⁴. This did not happen in any of the cases examined as part of this research project. However LB Redbridge has issued simple cautions for other cases, their Head of Private Sector Housing says "We've found this a very useful tool and a sobering experience for the landlord."

4.3. An outline of the process for prosecuting landlords

The process of investigating cases and prosecuting landlords is long and complex because many steps are laid down by law and the case has to be proved beyond reasonable doubt in court.

It should be noted that the process needs to be carried out thoroughly and in accordance with Housing Act 2004, the Police and Criminal Evidence Act 1984, the Criminal Procedures and Investigation Act 1996⁵ and the Regulators' Code⁶. The initial stages involve investigation: here the officers involved must have an open mind as whether offences have been committed. Once all the evidence has been collected, a decision is made as to whether to prosecute and whether prosecution is in the public interest.

Before each visit to the property, a notice of entry⁷ must be served on all landlords and tenants to give them 24 hours notice.

Several visits may be required for HMOs, to gain access to all rooms. For some prosecutions a warrant for entry has to be obtained from the Magistrates' Court.

³ Housing Act 2004, Sections 40 and 43 and severe cases under Management of Houses in Multiple Occupation Regulations 2006

⁴ Police and Criminal Evidence Act 1984, Section 37

⁵ See HSE [summary of key requirements of CPIA](#)

⁶ Department of Business Innovation and Skills, April 2014

⁷ Housing Act 2004, Section 239

The table below sets out the key stages involved in prosecuting landlords for renting property in poor condition:

Table 1: The key stages involved in the process of prosecuting landlords

Failure to comply with an improvement notice	Breach of HMO management regulations
Part 1: Investigation	
Inspect property under HHSRS ⁸	Inspect property to list contraventions of regulations ⁹
Obtain witness statements and evidence from tenants to prove rented property is rented /is an HMO	
Score under HHSRS ¹⁰ to identify enforceable health hazards Encourage the landlord to do the works verbally and by a letter specifying the work required, unless there is a serious threat to the physical safety of the tenants	
Visit to check if remedial work has been done	
Serve notice ¹¹ which includes detail of health hazards, a schedule of works, statement of reasons and date works is to be started and completed by. (If there is a fire hazard, consult local fire authority)	No notice required
Visit to check if works are done. If not this is the date the offence is discovered	The date of first inspection is the date the offence is discovered.
Invite landlord(s) to interview under caution ¹²	
Hold interview under caution, record it and have it transcribed	
Part 2: Decision to prosecute	
Check that: <ul style="list-style-type: none"> • there is sufficient evidence for a prosecution • whether the landlord could use the statutory defence of “reasonable excuse” • the case is in the public interest. (Wolverhampton use a checklist, see Part Two for Wolverhampton case study and template)	
Write report for authority to take for prosecution and prepare file for legal to include details of offences, witness statements of PSH team members and tenants, photos, notices,	

⁸ Housing Act 2004, Part 1

⁹ Management of Houses in Multiple Occupation Regulations 2006

¹⁰ Housing Health and Safety Rating System Operating Guidance 2006

¹¹ Housing Act 2014 Section 11

¹² Police and Criminal Evidence Act 1984

correspondence with owner, proof of ownership and of the tenants' renting the property (Land Registry form, legal requisition for ownership information, rent book, lease, housing benefit records).
Prove the property is in multiple occupation
Private Housing Team passes case file to lawyer Case conference to check sufficient evidence and show it is in the public interest to prosecute, decision usually made by Head of Legal Services.
Part 3: The prosecution
Prepare summonses
Lay information at court and serve summonses on each defendant.
Prepare court bundles for the defendants and court to include items in file for legal as above, the summonses, the legislation, government or other guidance or codes of practice, inspection notes. Prepare a schedule of "used" and "unused" materials.
Obtain information on landlord's previous convictions (if any) and on his/her income and assets and bring details of the council's cost.
Court hearing: solicitor and case officer(s) attend court for one or two hearings.
Visit property and contact landlord until works are completed or a further prosecution is necessary.

It should be noted that the role of the lawyer is important to the success of these complex prosecutions, and access to legal expertise will affect the capacity of the council to take on complex cases.

4.4. National figures on successful prosecutions

Shelter reports that the number of successful prosecutions taken by councils in England more than doubled in the two years to March 2013: there were 207 in 2011/12 and 487 in 2012/13. However, these figures cover a wider range of prosecutions than this report as they include prosecutions for harassment and illegal eviction.

There is no central register of successful housing and tenancy prosecutions. This means that councils must rely on their own information and limits their ability to find information on action that has occurred in other areas.

5. Research findings – prosecutions, fines and costs

5.1. Number of prosecutions

Three councils have sent details to the LGA of successful prosecutions they have taken against landlords renting homes in poor condition since April 2012. In this period of nearly two years, Redbridge took twelve cases which resulted in successful prosecutions, Bristol took eight and Wolverhampton four. These cases are summarised in Appendix One.

Based on the figures from Shelter at 4.4 above, these councils were more active than average in prosecuting landlords.

This is a small sample that should not be taken as indicative of local government as a whole. It should be noted that these three are councils in different areas with differing housing stocks.

5.2. The range of powers used in taking the prosecutions

The three councils took prosecutions for a number of different types of offences relating to poor housing conditions and many involved more than one type of offence, as follows:

- 17 of the 24 prosecutions were for breaches of the HMO Management Regulations
- 12 were for failing to licence an HMO
- four were for failure to comply with an improvement notice
- one was for overcrowding in an HMO
- two were for breaches of Emergency Prohibition Orders (both in Redbridge).
- in one case Bristol worked with the Fire Authority to prosecute a landlord under the Regulatory Reform (Fire Safety) Order 2005.

5.3. The level of fines awarded

On conviction all landlords were fined, except in the last case the landlord was given a suspended sentence instead (this is the only offence where it is possible for the court to give a custodial sentence). The level of fines varied significantly, ranged from as low as £500 to as much as £40,000 per defendant. The average fine was £8,000. In detail:

- The highest fine was for one case with two defendants, each of them was fined £40,000 (a total of £80,000 in fines for four breaches of the HMO management offences and failure to licence the HMO). This total fine was much higher than in any of the other 23 cases.
- In 17 of the 24 cases, the fine was £5,000 or less. The two lowest fines were only £500 and £750.

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- In three cases the fines were over £20,000 and in four they were £9,000-15,000.
 - The fines for failure to comply with an improvement notice ranged from £750 to £3000, they were lower than the fines for breaches of the HMO management regulations.

A Wolverhampton case involved someone dying in a fire in an HMO with ten tenants. The landlord was fined £3,000 and the managing agent was fined £4,500. The council was disappointed with these fines for a case where someone had died because of the poor condition of their home.

In a Redbridge case taken against a landlord for letting out an illegal 'bed in shed' structure, the court awarded a large fine totalling £24,000 (£3,000 per offence breaching eight HMO management regulations).

Generally it is not possible to see any trends in levels of fines over time because they vary so much, but Bristol says that their fines have reduced in last two years. They also say that they are getting bigger fines where the landlord is convicted of multiple offences such as failure to licence an HMO and a breach of the management regulations.

This information provides a snapshot of the powers used by the case study councils. It should not be read as representative of local government as a whole due to the size of the sample and the individual nature of each case.

5.4. Costs awarded

The court awarded costs to the councils in all but one case; they varied from £251 to £6,000, the average was £2,500. (These figures exclude the exceptionally high costs of £10,187 awarded for the breach of the fire safety order, see above.) Except in the case of Bristol City Council, the costs awarded were unlikely to be the full costs to the council of taking the case. This is shown in the in-depth study of the eight cases below, following discussion with private housing team managers and a solicitor.

6. Research findings – detailed analysis of eight case studies

We are grateful to Bristol CC, Cambridge CC, Coventry CC, LB Redbridge and Wolverhampton CC PSH teams for providing, at short notice, details of cases where they had successfully prosecuted landlords for renting housing in poor condition for in-depth study. These councils were selected from a list of those volunteering, because they have diverse housing markets. They were chosen to cover a variety of different types of council and political balance, and where recent prosecutions have taken place. Case studies for two of the cases can be found in Part Two of this report.

Of the eight cases studied in-depth, the first Redbridge case is unusual because the decision to prosecute was made after the works were complete. The electrical installation in this HMO was so dangerous that it had to be immediately disconnected to prevent a high risk of electrocution or death from fire, in addition the fire protection and alarm system was seriously lacking. There were ten tenants including two young children living there and to add to this, the landlord later produced a fraudulent electrical certificate. Prior to the works being carried out, the council considered taking a prosecution under the HMO management regulations, but they could not obtain enough evidence to prove the property was an HMO. They then had to prosecute for failing to comply with an improvement notice.

6.1. Overview

All eight cases involved very poor housing conditions, which were a risk to the health and safety of tenants, and the landlords did not cooperate with the councils. Their lack of cooperation was shown in the following examples:

- Some landlords did not attend appointments at the property, which meant that the officer could not gain access to inspect. Warrants of entry had to be obtained from the court in three of the eight cases.
- Some landlords did not attend appointments for interviews under caution. These had to be rescheduled to give them the chance of explaining why they were not complying with the law.
- Some landlords did not complete legal forms regarding the ownership of the property and did not send gas or electric certificates also required by law.
- In the first Redbridge case the landlord produced a fraudulent electrical certificate (this is being considered as part of a separate investigation).

The cases ranged from three bedsits without heating to two HMOs with a risk of death from fire hazards and dangerous electrics. Five of the eight prosecutions were taken for failure to comply with an improvement notice and three were taken for breaches of the HMO management regulations. They all resulted in fines and costs being awarded by the court. The remedial works were completed in six of the eight cases; in one case the tenants moved out leaving the

property vacant and in another case the landlord has committed a further offence and may be prosecuted again. In these case studies most landlords complied with the relevant legislation following the conviction.

The whole process from becoming aware of the poor housing conditions to the final court hearing took between six and sixteen months, the average was 11 months.

All councils used the council's in-house legal team rather than private firms of lawyers.

Table 2: In depth analysis of cases: housing conditions and offences, fines and cost information

Case	Fine	Council's stated cost	Costs awarded	Was this amount requested?	PSH team costs	Legal team costs	Council's stated cost	Shortfall
<p>Wolverhampton 1 11 contraventions of HMO management regulations (no electricity, gas or water, 2 fire escapes missing so doors open onto an outside drop of 2 or 3 stories, dangerous electrics, no fire alarm system or fire doors). The front door could not be locked and a stranger was found sleeping on a tenant's sofa. An Emergency Prohibition Order was served to vacate the property on the day of the first inspection because it was so dangerous. Three tenants were made homeless.</p>	£2,600	£6,438	£1,995	Yes	£1,995	£5,443	£1995	£5,443
<p>Redbridge 1 Failure to comply with an improvement notice regarding nine health hazards: dangerous electrics, inadequate fire protection, ten tenants (including two children) shared one damp and mouldy kitchen, the front door was insecure and there were infestations of mice and cockroaches. It took ten months for the remedial works to be completed</p>	£3,000	£2,190	£2,190	Yes	£1,765	£425	£2,190	
<p>Redbridge 2 Three breaches of HMO management regulations: no fire</p>	£5,000 ¹³	£1,363	£1,363	Yes	£1,038	£325	£1,363	

¹³ Shared between husband and wife

Case	Fine	Council's stated cost	Costs awarded	Was this amount requested?	PSH team costs	Legal team costs	Council's stated cost	Shortfall
alarm or fire doors and an obstructed escape route with poor lighting, electrical faults and an infestation of bedbugs in an HMO with 11 tenants. The case also involved failure to apply for an HMO licence. Works are not complete and the house is vacant.								
Bristol 1 5 contraventions of HMO management regulations: the front door was not secure, fire alarms not working and escape route obstructed, there were broken windows in bedrooms and the oven did not work. Affecting two tenants for eight months. The case also involved failure to apply for an HMO licence.	£1,210	£3238	£3,238	Yes	£1,090	£2,148	£3,238	0
Coventry Failure to comply with improvement notice: fire alarms not working and a poorly protected escape route. Affecting six tenants for twelve months.	£100	£787	£787	Yes	£451	£336	£787	Low council costs
Cambridge Failure to comply with an improvement notice: damp bathroom and kitchen and landing due to leaks and drains overflowing in the back yard. Affecting two tenants for six months.	£1,100	£4760	£2,400	50%	£760	£4,000	£4,760	Shortfall of costs awarded of £2,360

Case	Fine	Council's stated cost	Costs awarded	Was this amount requested?	PSH team costs	Legal team costs	Council's stated cost	Shortfall
Bristol 2 Failure to comply with an improvement notice: very steep alternate tread spiral staircase to attic room and 10 cm/4 inch gaps between first floor banisters. Affecting two tenants for 18 months.	£1,000	£3,000	£1,000	33%	£1,376	£1,624	3,000	Shortfall of costs awarded of £2,000
Wolverhampton 2 Failure to comply with improvement notice: No heating provided by the landlord for three tenants for 11 months	£3,200 ¹⁴	£2,915	£2,140	Yes	£1037	£1,874	£2,915	£775
Average			£1,893		£1,094	£1,158	£2,252	

¹⁴ Husband and wife

6.2. Time spent on prosecution

In the eight cases studied in detail the process from becoming aware of the poor housing conditions to the final court hearing took between six and sixteen months, with an average of 11 months. In four of the cases they then had to wait a further period after the court hearing before works were done. In the eight cases, the remedial works were completed at the time of the final hearing in two cases and six weeks after in another. In three cases it took a further 2-3 months before the works were carried out and in a further case, the works are still being completed 8 months later, but the house is empty so tenants are not being affected. In the worst case, a further contravention has occurred and another prosecution is being considered.

6.3. Fines awarded

All eight prosecutions resulted in the landlord being convicted and fines and costs being awarded by the court, as follows:

- The fines ranged from a significantly lower figure of £100 for the Coventry case to £3,200. The average fine was £1,900.
- There was some correlation between the fine and the number of offences or hazards, but no correlation between the fines and the housing conditions or the number of tenants.
- The level of fine was greatly reduced in three cases because the landlord told the court that they had a limited income. (One of these presented the most significant risk to life, see Part 2 for details).
- Redbridge said that the fines in their two cases were reduced by third because the landlords pleaded guilty. (The landlords pleaded guilty in five of the eight cases.)
- Private housing team officers were satisfied with the level of fine in the three cases with the highest fines.

The level of fine obtained in court should not only depend on the severity of the offence(s) but also on any previous convictions and the defendant's income. There is no national database for this type of prosecution so it is difficult for councils to find out whether the landlord has any previous convictions.

If the landlord tells the court that the fine is unaffordable it is up to the council to provide information about his/her income. The council usually has details of the rental income from the property and maybe other properties in the area, but rarely of other income. Recent changes mean that the judge can take the defendant's assets into account and councils can present the value of these properties as evidence, which is a positive step.

The total cost to the landlord for each case included the fine, costs and a victim surcharge cost of £20 to £200, which was charged in five of the cases. The average total cost to the landlord was £4,155; it ranged from £907 for the Coventry case with a fire hazard to £6,363 for the

second Redbridge case where there was a fire hazard, electrical faults and bedbugs.

For other types of offence, the Sentencing Council has issued guidelines to magistrates to ensure consistency. This is not the case for housing act offences, leading to the variation demonstrated in the cases studied in this research project.

Magistrates are not able to award custodial sentences for housing act offences, although they can in cases where landlords are convicted of evicting or harassing their tenants and where there is a breach of the Regulatory Reform Fire Safety Order 2005.

6.4. The cost of prosecuting landlords

The cost to councils of prosecuting landlords in the eight cases was high because the process is so long and complex, but there is provision for reclaiming these costs in court. These costs are awarded following conviction, they are to be paid by the defendant alongside the fine and the money is repaid to the council (whereas the fines go elsewhere). Some or all of the costs were awarded by the court in all eight cases. Table 2 gives details.

Case officers and other private housing team members involved in the cases kept a record of the hours spent working on the case to calculate their costs. The amount of detail of these records varied.

With the exception of Bristol, the councils said that they did not feel able to ask the court for the full costs of the case for the following reasons:

- They can only claim the costs in court from when the offence is discovered. This is usually after a lengthy period of trying to encourage the landlord to improve the condition of their property.
- Councils have difficulty recording the full costs of their prosecution cases, for example a case officer said that some phone calls and emails are not recorded.
- Some case officers said that they keep costs low on advice from their legal team, because of concerns that the full cost would not be considered reasonable by the court.

Bristol also said that they cannot recover the cost for the time they spend setting up and maintaining policies and procedures for prosecuting landlords. There is a need to ensure compliance with all legislation and guidance mentioned in section 4.3 above, including the Regulators Code which has just come into force. On one occasion, they had a landlord defend a case on the grounds of abuse of process, they were only able to combat the defence because they had the correct procedures laid down and had adhered to them.

Hourly rates for private sector housing team case officers varied from £27 to £50. This is more of a variation than expected and is likely to be because the amount added on for overheads and

on-costs varies so much from council to council. Some councils only include the salary and associated pension and National insurance contributions.

Bristol has designed a spreadsheet specifically for members of the PSH team to record the time spent on prosecution cases. It is an example of good practice which should be considered by other councils, see Part Two of the report for details. This facility is also included in the prosecution module in some of the purpose built databases used by private sector housing teams.

The councils' recorded costs ranged from £787 to £4,760, with an average of £2,614. Legal costs were not included in two of the eight cases taken by one council, this may have been because the lawyer considered the cost of just the work by the private housing team was as much as they could ask for in court. In another case the council solicitor said she did not ask for full costs even though they were recorded because "the Court awards fines and costs on a global basis, so the higher the costs, the less fine that will be awarded, unless the defendant is a man of means."

In six of the eight cases, when the councils asked for their costs to be paid, the court ordered the landlords to pay the full amount requested. In the Bristol 2 case, the court awarded only a third of the costs asked for, because the building control department had made an error in the past.

The full costs were awarded by the court in the Bristol 1 case and the two Redbridge cases. In all the other cases there was a shortfall between the amount awarded and the recorded costs as shown in Table 2: this was the actual cost to the council for taking the case. In two cases the magistrate did not award the full costs requested, so the shortfall was £2,360 (50%) in the Cambridge case and £2,000 (67%) in the Bristol 2 case. In the two Wolverhampton cases they did not ask the court to award £5443 and £775 of their costs.

To summarise, the cost to the councils of taking landlords to court was high and councils were not able to reclaim the full costs in court in four of the eight cases because they could not assess the full cost of their cases and they were reluctant to ask for the full costs of the case in court. The government does acknowledge that the cost of taking a landlord to court and says it can deter local authorities from taking such prosecutions¹⁵. Following the success of Bristol and Redbridge in recording and claiming the full cost of their prosecutions, it is recommended that councils record their full costs ask the court for the full amount. Part Two of the report includes some of the processes used by Bristol in order to pass on this practice.

6.5. Other ways of reclaiming costs

Councils will incur costs in each case prior to the date of discovery of the offence, especially

¹⁵ Government response to the Communities and Local Government Select Committee Report: The PRS, October 2013

where improvement notices are served. These costs cannot be reclaimed in court. However there is provision to reclaim the cost of serving improvement notices. The councils did charge this cost to the landlords in all five of the eight cases which involved improvement notices. The amount ranged from £150 to £558 with an average of £360, these costs cannot legally include the time spent supporting the landlords.

The second Redbridge case and first Bristol case involved successful prosecutions for failure to licence an HMO, as well as breaches of the HMO management regulations. Here the council can apply for a Rent Repayment Order (RRO) if any of the tenants claim housing benefit (Redbridge has now applied), but it is a complex process. If granted the landlord has to repay up to 12 months rent, and the repaid money can be used by the council to pay for housing enforcement¹⁶. Extending RROs to other convictions has been suggested in the recent government consultation paper¹⁷.

In the worst cases where the landlord has a number of convictions, a confiscation order can be applied for under the Proceeds of Crime Act (POCA) 2002. This is discussed in the government guidance on dealing with rogue landlords. Recent case law may have restricted the use of POCA to cases involving breach of a prohibition order. This is currently being tested in a case taken by Redbridge.

6.6. Delays

Delays and challenges throughout the prosecution process mean more work has to be done and more costs to the council.

There is a statutory time limit of six months for the part of the process from when the offence was discovered to laying information in court. Officers find it a challenge to complete the process within this time, especially in the case of HMO management regulation offences. This means that officers need to prioritise their prosecution cases over other cases in their workload because, as a Bristol officer said, “taking a case through the prosecution process takes time and diligence”.

The following delays were reported; they affected all stages in the prosecution process in the case studies:

- **Some landlords did not attend appointments at the property**, so the officer could not gain access. Warrants of entry had to be obtained from the court in three of the eight cases. In three of the cases, the landlord failed to turn up for the interview under caution, so a second date had to be arranged to give the landlord a fair chance of explaining the offences.

¹⁶ Rent Repayment Order (Supplementary Provisions) (England) Regulations 2007

¹⁷ Department for Communities and Local Government review of property conditions in the PRS, February 2014

-
- **It was difficult to collect evidence about the property.**
 - To prove ownership of the property and in turn decide who the defendants were, councils obtained details from some or all of the following: Land Registry, tenancy agreement, rent book, lease and a legal form sent to the landlord requesting ownership details. Questions will also be asked about ownership during the interview under caution. It is common for the information from these sources to be contradictory. Landlords sometimes fail to return the form requesting ownership details.
 - To prove that the property was an HMO the councils, in two of the cases, tried to get information from the tenancy agreement or rent book, from tenants' statements and from housing benefits records. In one case there was not sufficient evidence to take a prosecution under the HMO management regulations. (Proof that the property is an HMO is essential for offences under the HMO management regulations.)
 - **Delays occurred when other agencies needed to provide evidence**, in one case the delay was for an electrical certificate, in another it was for information from Building Control.
 - **It took a long time to prepare the summonses and bundles for the hearing** in the case which involved three defendants.
 - **The landlord asked for adjournment** in court in one case as he/she was not ready.

These delays highlight common problems which cause delays and increase council's costs when prosecuting landlords for letting properties in poor condition.

7. Conclusion

The process of prosecuting landlords for renting properties in poor condition is long and complex. Most of the steps involved are laid down by law or are essential to the legal process of proving the case beyond reasonable doubt. In the eight cases studied in-depth, it took between six and sixteen months from discovering the poor housing conditions until the court case, the average time for the whole process was 11 months.

The court awarded costs in all but one of the 24 prosecution cases taken by Bristol, Redbridge and Wolverhampton councils; these varied from £251 to £6,000. The in-depth study of the eight cases found that the cost to the council for prosecuting landlords is high and that the full costs were reclaimed through the court in half of the cases. In six of the eight cases, the court awarded the full amount requested by the council, but the level of detail of costs recorded and the hourly rates charged by the councils varied. One council was reluctant to ask for the full costs as they thought they would not be considered to be reasonable. However Bristol and Redbridge were successful in reclaiming the full cost of their two cases in court.

Bristol, Redbridge and Wolverhampton councils were successful in obtaining convictions in 24

cases which they took to court in the last two years. All the defendant landlords were fined by the courts, but the level of fines varied greatly. The majority of the fines were under £5000, but in seven of the twenty-four cases the fines were over £9,000. In three of the eight case studied in-depth, the fines were disappointingly low (one was only £100) because the landlord pleaded poverty in court. There was no correlation between the fines and the housing conditions or the number of tenants affected.

Most landlords complied with the relevant legislation following the conviction and it is likely that the experience of being prosecuted will deter them from committing offences in future. However in the most severe case, a further contravention has occurred and further prosecution is being considered.

Sara Emanuel, Chartered EHP
Consultant to the LGA

8. Appendix One: Cases since April 2012: Bristol, Wolverhampton and Redbridge councils

	Council Nature of offence	Fines		Costs		Total fines and costs	Notes
		First defendant	Second defendant		Victim support cost		
	Bristol						
1	Improvement notice	£750		£2,330	£15	£3,095	
2	HMO management	£5,000		£6,000	£15	£11,015	
3	HMO management, HMO licence	£40,000	£40,000	£1,210	£30	£81,240	
4	Improvement notice	£1,000		£1,000	£15	£2,015	
5	Fire safety order			£10,187		£10,187	Suspended sentence
6	HMO licence, overcrowding	£5,000		£5,405	£240	£10,645	
7	HMO management, HMO licence	£1,500		£3,000	£120	£4,620	
8	HMO licences x 2, HMO management	£1,210		£3,238	£100	£4,548	
	Wolverhampton						
1	HMO management, HMO licence	£14,800		£3,450	£15	£18,265	
2	Improvement notice	£1,800	£1,800	£2,138		£5,738	
3	HMO management	£2,600		£1,995		£4,595	
4	HMO management	£4,500	£3,000	£2,250	£15	£9,765	Fire fatality
	Redbridge						
1	HMO management, HMO licence	£37,900	£1,400			£39,300	
2	Emergency Prohibition	£2,000	£1,500	£874	£30	£4,404	

	Council Nature of offence	Fines		Costs		Total fines and costs	Notes
		First defendant	Second defendant		Victim support cost		
	Order (EPO)						
3	HMO management	£5,000		£1,100		£6,100	Fire in HMO
4	HMO management, HMO licence	£2,500	£2,500	£2,800		£7,800	
5	Improvement notice	£3,000		£2,190	£120	£5,310	
6	HMO management	£24,000		£1,683	£120	£25,803	Beds in shed, two households
7	HMO management, HMO licence	£11,000		£251		£11,251	
8	HMO management, HMO licence	£13,000		£975	£15	£13,990	
9	HMO management, HMO licence	£500		£2,000		£2,500	
10	HMO management, HMO licence	£2,500	£2,500	£1,400		£6,400	
11	EPO, HMO management, HMO licence	£2,800		£480	£120	£3,400	
12	HMO management	£9,000		£3,081	£120	£12,201	
	Total	£191,360		£59,037	£1,090	£304,187	
	Average	£7,973		£2,460	£45	£12,674	

9. Part two – case studies and good practice

Case studies and good practice items:

- District Judge's summing up of Case 1 from Wolverhampton
- Redbridge case study 2 – step by step case report
- Redbridge: good practice examples of tenant statement form and HMO declaration
- Wolverhampton case study 2 – step by step case report
- Wolverhampton: good practice example of checklist for witness statements
- Cost and time spent on the stages of the prosecution cases by private sector housing teams
- Bristol's costs analysis form and spreadsheet

District Judge's summed up the Wolverhampton 1 case as follows:

"You let this property get into an appalling condition – there are holes in the doors. There are fire escapes missing leading to the possibility of falls to the tenants' death." "No fire alarms, no front door, no fire doors.....No electricity, no water to the top floors."....."The property is a death trap. If there had been a fire at these premises, leading to the death of a tenant, you would have been looking at a charge of manslaughter and prison. These items are your responsibility, but you did not do a thing. You have not spent a penny on this property, just taken the rent for it. The evidence is overpowering and it has always been so.....Your defence that it is the tenants' fault is laughable. I find you guilty on all counts."

Following the investigation into the landlords means, where he said he earned almost nothing from his food business and taxi firm and the property was mortgaged, the District Judge said:

"The maximum sentence is £5000 per offence. This is one of the worst cases I have come across, The property was in appalling condition. Had imprisonment been an option, I would have seriously considered sending you to prison, but I am limited to the financial penalty. I am obliged to take into account the overall amount, with the costs you are ordered to pay, together with your ability to pay. For these reasons the financial penalty I can order is a lot lower than I would like."

Penalty

The judge fined the landlord £2,600 for the 11 offences committed under the HMO management regulations, plus costs of £1995 and Victim Support Compensation of £30. A total cost of £4,625.

Case study Redbridge 2

Photo 1: Overcrowded kitchen shared by seven tenants, including four children.



This court case concerned a large three story house in multiple occupation (HMO) owned by a husband and wife (the landlords). It was occupied by eleven people, including four children. The property had dangerous electrics, the escape route in case of fire was not protected and there was a serious infestation of bedbugs. LB Redbridge prosecuted the landlords for failing to comply with three offences under the HMO management regulations¹⁸ and failure to apply for an HMO licence¹⁹. The landlords were found guilty, there were fined a total of £5,000 and awarded costs of £1,363.

A planning officer referred the property to the private sector housing (PSH) team because the HMO did not have planning permission. He had tried to persuade the owner to apply on several occasions, but he did not do so. Instead the landlord had housed more tenants in the property.

The case officer (a Senior EHO) inspected the property under a warrant of entry on 4 October 2012. He found a family of four, including two children, living in one room and sharing a bathroom and kitchen with three other tenants. The bathroom had a window opening onto another bedsitting room and it had no ventilation. The kitchen was extremely small and cramped. (See photos.) Three lights were hanging off the ceiling and electric sockets were dangerously overloaded. (When an electrician later inspected the electrical installation, he had to rectify three items immediately because they were so dangerous.) A live bedbug was found in the attic room, which indicated a severe infestation. If there had been a fire the tenants would have had difficulty escaping as the escape route was not protected and was poorly lit. There was no fire alarm and no fire extinguishers.

¹⁸ Management of Houses in Multiple Occupation Regulations 2006

¹⁹ Housing Act 2004, Section 72

During the inspection, a colleague of the case officer took statements from the tenants on a form devised for this purpose, see Appendix LBR2. The use of such a form is good practice which should be considered by other councils

Photo 2: Bathroom shared by seven tenants, including four children



The windows open onto someone's bedsit.

The three offences under the HMO management regulations had been identified on the initial inspection, it was also evident that the HMO should have been licensed and the landlord had not applied for a licence. So the case officer invited the landlords to attend an interview under caution to explain their reasons for the offences, but they did not attend.

The next stage involved the case officer writing a statement and collating the evidence for the prosecution. This included writing a full record of the work he had done on the case from the date of inspection and attaching photos, proof of ownership, gas and electrical certificates, correspondence, tenants' and colleagues' statement. It was not difficult for the case officer to prove the property was an HMO. This was because he had served an HMO declaration²⁰ on the landlords after the initial visit to the property. As the declaration was not appealed, it was firm evidence of the property being an HMO. This is unusual, but is good practice which should be considered by other councils.

On 19 March 2013 the file was sent to the legal department, who agreed there was sufficient evidence to prosecute and that the prosecution was in the public interest. So summonses for the offences served and laid in court. Before the court hearing on 14 June 2013, bundles of evidence were prepared and sent to the defendants and the court.

At the court hearing the landlords pleaded guilty and on conviction the magistrate awarded a

²⁰ Housing Act 2004, Section 255

fine of £5,000 and £1,363 in costs, both shared equally between husband and wife. The PSH team manager said that he was happy with the fine, which had been reduced by one third following a guilty plea. The full costs requested by LB Redbridge were awarded by the court. Details of the cost of the PSH team work are in Appendix LBR below.

The property is now empty and the landlord is applying for an HMO licence which will only be granted when the house is improved. As the landlords now have convictions, they are not considered fit and proper people to hold an HMO licence, so they will have to appoint a managing agent.

LB Redbridge is now considering applying for a Rent Repayment Order. If granted the landlords will have to repay up to 12 months housing benefit in addition to the fine awarded by the court.

The whole case took eight and a half months, but it took only six and a half weeks between the inspection and the decision to prosecute. This shows that taking a prosecution under the HMO management regulations is simpler and quicker than serving an improvement notice (see Appendix 1). It took four months from the decision to prosecute to sending the file to legal, this is not unusual, the PSH team manager said “The compilation of a prosecution file is time consuming, requiring a significant amount of liaison with colleagues in other departments. This is further impacted by the day to day workload of the team.”

The cost of the case

The case officers recorded the time spent on this case, but they kept costs low as the legal department advised them to keep the costs reasonable. In more recent cases, they have been keeping more accurate records and charging for more hours.

	Number of hours (£50 per hour)	Cost (£)
Obtaining warrant of entry from court	3	150
Inspection and tenants' statements	3	150
Preparing for interview under caution	2	100
Case officer statement	3	150
Colleague's statement	2	100
Preparing prosecution file	5	250
Cost of warrant		18
Locksmith who attended inspection		120
Total	18 hours	£1038

The legal costs were £325.

The court awarded the full costs of £1,363.

Witness Statement used by LB Redbridge

(Criminal Procedure Rules 2010, r27.1(1);

Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B)

Statement of:.....

Age of Witness (if over 18 insert "over 18"):.....

Occupation of Witness:.....

This statement, (consisting of 1 page each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated:.....

Signature:.....

1. My date of birth is:..... 2. I

live at:.....

3. I have lived at this property since:.....

4. I currently live in room/flat* (*delete):.....

5. I share the room with:

6.

7. I pay £.....per week/month* (*delete)

8. I pay this to:.....

9. This is paid by me using:.....

10. This address is/is not* (*delete) my only permanent place of residence.

11. I found out his property was available to rent through:.....

12. I am/am not* (*delete) related to the people in the other rooms in the property.

13. If repairs need doing I contact:.....

14. I do/do not* have a written tenancy agreement (*delete)

15. I was shown around the property by:.....

Signed:..... Signature witnessed by:.....

Case study: Wolverhampton case 2

This case had the least bad housing conditions of the eight studied in the main report on the cost of prosecuting private landlords.

This court case concerned a two story house in multiple occupation (HMO) owned by two sisters, with one of their husbands acting as managing agent. At the time of the inspection, three tenants were renting a bedsit each and three other lettings were empty. The property was in poor condition it was cold and damp and the escape route in case of fire was not protected. Wolverhampton City Council (WCC) prosecuted the landlords for failing to comply with an improvement notice²¹ requiring adequate heating to the three bedsits and for not returning legal forms requiring information about ownership and occupancy of the property²². The three landlords were found guilty, they were fined a total of £3,520 and awarded costs of £2,140.

There had been a long history of trying to engage the landlords to help them bring the property to the legal standards. Five letters were written to them about the work needed to the property in the year before the inspection in October 2012.

The case officer (a Senior EHO) inspected the HMO on 12 Oct 2012. She found that the tenants were living in cold damp rooms. One had to use two portable heaters to heat his bedsit and the external wall was damp and mouldy. The fire alarm had not been maintained and the escape route was poorly lit and needed extra protection. The shower was leaking from one bedsit to the room below and it was not possible to open the windows in the two WC compartments.

The case officer identified some contraventions of the HMO management regulations²³. She also carried out an assessment under the Housing Health and Safety Rating System, identifying three Excess Cold Hazards due to insufficient heating in three bedsits. She served an improvement notice on 23 October requiring the landlords to install programmable, fixed heaters to each bedsit by 11 December 2012. The case officer visited on 12 December and found that no heaters had been installed, so an offence had been committed.

The second offence which was subject to prosecution was for not returning forms requiring information about ownership of the property. These forms were prepared and served on the three defendants on three occasions between 24 August and 2 January 2013. On the third occasion the case officer offered to wait while the landlord completed the forms or to come back and collect them, but this was refused.

WCC had also intended to prosecute the landlords for contravening the HMO management regulations for the inadequate fire protection and dampness. This turned out not to be possible

²¹ Housing Act 2004 Section 30 (1) and (3)

²² Local Government (Miscellaneous Provisions) Act 1976, Section 16

²³ Management of Houses in Multiple Occupation Regulations 2006

because they did not have the evidence to prove the property was in multiple occupation. This is likely to have been possible if the landlords had returned the legal forms sent to them requiring information about ownership and occupancy of the property and/or if they had attended the interview under caution.

The case officer then invited the landlords to attend an interview under caution to explain their reasons for not installing the heaters or returning the forms, but they did not attend.

The next stage involved the case officer writing a statement and collating the evidence for the prosecution. This included a full record of the work she had done on the case and attaching the improvement notice, the Land Registry Search and statements from tenants. The collection of evidence was made easier by the use of an inspection checklist, see Appendix A, this is an example of good practice which should be considered by other councils.

On 3 May 2013 a case conference was held by officers from PSH and legal teams. It decided that there was sufficient evidence to prosecute. So summonses for the two offences were laid in court on and were served on the three defendants. Before the court hearing on 7 July 2013, bundles of evidence were prepared and sent to the three defendants and the court.

At the court hearing the landlords pleaded guilty and on conviction the magistrate said “the council tried everything possible over a very long period to make you comply”. They awarded the following fines and costs:

	Fine for Improvement Notice	Fine for ownership form	Victim surcharge	Costs	Total
Defendant 1	£1,000	£350	£135	£890	£2,375
Defendant 2	£1,000	£350	£135	£890	£2,375
Defendant 3		£500	£50	£360	£910
Total	£2,000	£1,200	£320	£2,140	£5,660

The full costs requested by WCC were awarded by the court, but they did not claim the full costs of the prosecution, which was £2915. They considered it unreasonable to ask for this much (see Appendix B).

The day after the hearing the case officer visited the property and found that the heaters had been installed as required by the improvement notice, but other problems, such as the dampness and inadequate protection to the escape route in case of fire, still remained.

The whole case took ten months: the first three months involved the inspection, service of an improvement notice and time for the landlords to carry out works. Then it took six months from when the offences were committed to the court hearing. During this time delays were caused by

the landlords in that they did not attend visits to the property or come to the interview under caution and they did not return the forms asking about ownership, even when the case officer offered to collect them.

Overall, the case officer thought it had been worth taking the prosecution, it chastised the landlords and they did carry out the heating works, but she would have liked the fines to have been higher.

Wolverhampton City Council checklist for witness statements

Name

Address inc room number

Length of time living there

Location of room within property

What sharing of amenities, if any

How many other people living in property

Description of property

How many bedrooms

How many bedrooms are occupied

How many bathrooms and locations

How many kitchens and locations

How many people sharing Information on other tenants

How much rent paid How rent is paid

To whom rent is paid

Any housing benefit

Who is landlord, with details

Who is agent, with details

How often landlord/agent visits property

Who does tenant contact in case of assistance

What fire precautions are in property

Are they ever tested

How often

Have they ever heard smoke alarms sounding in their room, or in the communal areas

Presence of gas and electricity certificates

How did tenant come to move into this property

Did all tenants come together

Do they have tenancy agreement Exhibit this

How does landlord or manager collect rent

Are they aware of how many people are living in the property

The people in the property are not related to each other, separate households

Was deposit paid

Was deposit protected

Fire doors
 Escape windows
 Main/Only place of residence

Elements to prove

Rented property
 Rent or other consideration is payable
 Knowledge of number of occupants
 Knowledge of sharing of amenities
 Three storeys

The cost of the case

£2,138 was awarded in costs, this was the full amount requested by WCC, however the full costs to the council was more. The recorded costs were as follows:

	Hours	Rate per hour	Total
PSH Team	31.5	£32.91	£1037
Legal team	34.7	£54	£1874
Land Registry fee			£4
			£2915

The PSH team manager said that all the costs recorded are very conservative and do not accurately reflected the cost of the work.

In court the full cost of PSH team work was requested but only £1,100 of the legal fees, as the full amount was not considered reasonable by the council and they thought such high costs would reduce the level of fine.

The time spent by the PSH team on the various stages was as follows:

Stage of process	Hours
Inspection, HHSRS assessment, service of improvement notice and compliance check	10
Seeking information about ownership	3.5
Preparation of evidence (drafting witness statements and collating exhibits) and case conference	18

The cost and time spent on the stages of the prosecution cases.

Further information was obtained on the cost and time spent by the private sector housing (PSH) teams on four of the prosecution cases. The level of detail provided varied, so Table C1 splits the number of hours worked into two stages and then more detail is given of the Bristol and Redbridge 1 cases in Table C2. With the exception of the Bristol case, officers were advised by the legal team to underestimate the costs, as they didn't think that the full cost could be claimed from the court as they would not be considered reasonable.

Table C1: Time spent at different stages and costs of taking prosecution

Stage of process	Redbridge 1 (hours at £50/hr)	Redbridge 2 (hours at £50/hr)	Bristol 1 (hours £*/hr)	Wolverhampton 2 (hours at £32.91/hr)	Average
Inspection and obtaining evidence, tenants statements and drafting schedule of works	17	6	10	10	9
Preparation of evidence (drafting witness statements and collating exhibits), case conferences etc.	16	12	29	22	20
Other costs (warrant, locksmith, land registry search, electrical report, transcription fee)	£515	£138	£69	£4	
Total PSH team cost of case	£2,165	£1038	£1,090	£1,036	
Legal costs (assessing whether sufficient evidence, defining offences, drafting summonses, liaison with court,	Not known	Not known	£2148	£1,874 35 hours at £54/hour	£2,011

representing council in court).					
Full council costs			£3,238	£2,910	£1,332

*Bristol's hourly rates for officers varied from £25.76 to £32.12.

In the first stage above, two officers visited the property to inspect and obtain statements from the tenants. Work was carried out in the office after the inspection to draft the schedule of work. Sometimes, other tenants would need to be contacted to obtain statements. In these four cases the time recorded for this stage varied from six to seventeen hours, the average being nine hours.

The second stage occurred over a few months. It involved the officers drafting their own witness statements and gathering all the other evidence for the legal team. There were meetings to decide whether the court case should go ahead and what the offences were. In these four cases the time recorded for this stage varied from 12 to 29 hours, the average being 20 hours.

The other costs varied from £4 for a Land Registry Search to £515 where a locksmith attended the inspection under warrant to enable access to the whole property and an electrician was employed to inspect and report on the electrics.

The hourly rates for PSH team members varied from £25.76 to £50 per hour as the amount added for overheads was variable. For example, Redbridge charges £50 per hour, but they say this is a nominal rate to include all overheads. Even so they were successful in reclaiming the full PSH team costs in court, but did not ask for any legal costs in addition.

Unfortunately the cost of legal expenses was only provided for two of the cases; both were approximately £2,000. The solicitor for the Wolverhampton case spent 35 hours on their case, which was a little more than the hours recorded by the case officer.

All the above costs were awarded in full in court, by the magistrates, except for £775 in the Wolverhampton 2 cases, because the lawyer did not consider it reasonable to ask for the full cost. It should also be noted that Redbridge did not ask for legal costs in court.

A more detailed breakdown of two of the above cases are in Table C2 below. Bristol provided a detailed spreadsheet of costs recorded by all the PSH team officers involved and Redbridge provided a table of costs for each stage of the process. The Bristol case was a prosecution for five contraventions of HMO management regulations and failure to apply for an HMO licence and the Redbridge prosecution was for failure to comply with an improvement notice for the remedy of nine health hazards.

Table C2: A detailed breakdown on time spent by the PSH team on two prosecution cases

Stages	Bristol case (Hours)	Redbridge 1 (Hours)
Inspection and visits, including drafting the schedule of works and taking tenants statements	7.5 (3 visits)	17 (5 visits)
Interview with landlord under caution, by two officers	3.5	2
Drafting witness statements	18 (three EHOs did statements, one checked them)	8 (2 EHO statements)
Correspondence	1	6
Investigation of ownership	3	
Meetings (case history, evidence checks, decision to prosecute)	6	
Total hours	39	33

The total time spent by the PSH teams on these cases was reasonably similar, but in the Redbridge case more time was spent on the inspection and obtaining statements from tenants. Bristol spent more time drafting statements, checking them and holding meetings. Bristol has a long history of prosecuting landlords, so they have robust systems in place to assist officers in taking successful prosecutions. This includes the use of a comprehensive checklist and an Enforcement Liaison Officer who supports the case officer, and ensures that all the evidence is in order.

Bristol City Council's Analysis of Costs Form

Please note: The form consists of an excel spreadsheet with an interlinking sheet for each officer involved in the case.

Total Cost Form - this section of the form shows costs accrued during the investigation

Case: Bristol CC v

Costs required in connection with the hearing:

Ancillary costs (e.g. translator, transcription, locksmith, security etc.)

[enter type of cost here]:

[enter type of cost here]:

Administration costs:

Fill in individual officers' costs on the 'Officer' tabs below.

Officer 1	0	miles@	£0.429	per mile	=
	0	hours@	£0.00	per hour	=
Officer 2	0	miles@	£0.429	per mile	=
	0	hours@	£0.00	per hour	=
Officer 3	0	miles@	£0.429	per mile	=
	0	hours@	£0.00	per hour	=

Court time costs - fill in time spent in court in this section of the form

Officer name:

Post

Grade

0 hours@ £0.00 per hour =

Officer name:

Post

Grade

0 hours@ £0.00 per hour =

Establishment costs

Total Costs =

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