

Local Authority delegated powers in relation to poor quality Housing.

The Enforcement Team have the in place and are using the following tools to address poor housing conditions and apply the legislation in the district of West Lindsey as a whole.

The Housing Act 2004

Inspections are carried out using the Housing Health and Safety Rating System to ensure properties within the private rented sector are free from Category 1 hazards. These hazards have serious health implications to the occupants of the properties.

The Housing Team can

1. Serve an Improvement Notice for which the owner of the property will be charged administrative costs
2. Make a Prohibition Order to prevent occupation of the dwelling until remedial works have been carried out
3. Make an Emergency Prohibition Order to prevent occupation of the dwelling due to an imminent risk to health of the occupants
4. Carry out Emergency Remedial Works to carry out works which are required to prevent serious harm to the occupants. The owner is charged for these works and officer costs

Should the owner of the property not comply with the notice or order, legal action in the form of a prosecution may be taken and works in default of the notice carried out for which the owner will be charged.

There are other pieces of legislation that the team have delegated powers to enforce:

- Environmental Protection Act 1990 – This is used in instances of dangerous electrics or lack of hot water in a property. The timescale for compliance can be as little as 48 hrs
- Building Act 1984 – This is used to address drainage issues and the usual timescale for compliance is 9 days
- Protection from Eviction Act 1977 – This is used to address harassment issues and illegal evictions. The offence, if proven is an either way offence, therefore a custodial sentence can be given.