



Fuel Poverty & Fuel Debt in the Private-Rented Sector

Energy Performance Certificate (EPC)

An Energy Performance Certificate (EPC) for the property should be made available for a new tenancy. Contact a Domestic Energy Assessor at www.epcregister.com to arrange an assessment.

Not having a valid EPC could result in a non-compliance fine for the landlord of up to £500.

However, there are exemptions:

- A building that is officially protected, for example, a listed building where compliance with minimum energy efficiency requirements would alter its appearance.
- A building is a house of multiple occupation that has not been subject to a sale in the previous ten years or has not been let as a single rental in the past ten years.

Minimum Energy Efficiency Standard (MEES)

Related to EPCs, Minimum Energy Efficiency Standard (MEES) legislation prohibits landlords renting out F or G-rated properties.

The MEES regulations established a minimum level of energy efficiency for privately rented property with assured, assured-shorthold and agricultural tenancies regulated by the Housing Act (1988) and protected tenancies regulated under the Rent Act (1977) in England and Wales.

From 1 April 2018 - new tenancies

Landlords of relevant domestic private-rented properties must not grant a tenancy to new tenants if their property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property), unless they have an exemption.

From 1 April 2020 - new and existing tenancies

Landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating of band F or G (as shown on a valid EPC for the property), unless they have an exemption.

EXEMPTIONS: In certain circumstances, a landlord may be able to claim an exemption. Such cases must be registered on the *Private Rented Sector Exemptions Register*.

The PRS Exemptions Register is for properties which are legally required to have an EPC, and which are let on a relevant tenancy type, but which cannot be improved to meet the minimum standard of EPC band E. The following exemptions apply:

- No funding
- All improvements made
- Wall insulation
- Consent
- Devaluation
- New landlord

For more information about the exemptions visit the Gov.UK website - <http://tiny.cc/4ap02y>

Enforcement of these regulations is through the local authority who can fine landlords who do not comply with documentation requests £2,000. If a non-compliant property is then re-let the landlord can be fined an additional £5,000.

Housing Health and Safety Rating System (HHSRS)

Under the Housing Act (2004) local authorities use this risk-based system to determine whether a hazard exists that may cause harm to a potential occupant who is most vulnerable to that hazard. Tenants can request an assessment from the local authority.

There are 29 hazards within HHSRS, of which five particularly relate to fuel poverty:

- Excess cold
- Excess heat
- Damp and mould growth
- Carbon monoxide and fuel combustion products
- Falling on level surfaces

Excess cold is a category 1 hazard and damp and mould growth is a category 2.

ENFORCEMENT

If a local authority identifies a category 2 hazard, they may take enforcement action. When a category 1 hazard is identified, they are duty bound to. Local authorities can:

- serve a hazard awareness notice
- serve an improvement notice requiring work to remove or reduce the hazard
- make a prohibition order to restrict the use of all or part of the dwelling
- take action themselves where they consider the hazard needs to be dealt with as an emergency

When assessing, local authorities must consider the most vulnerable group using the property. However when deciding on any enforcement action they may take account of the actual occupant. The landlord is liable for the full cost of the work.

NEST

Nest is the Welsh Government's fuel poverty scheme. It aims to make Welsh homes warmer and more fuel-efficient places to live. To apply telephone: **0808 808 2244**.

Those qualifying must:

- own or privately-rent a home and
- the tenant or someone living with them receives a means-tested benefit and
- they live in a home that has an E, F or G energy efficiency rating

- Private tenants must have resided in the property for a minimum of six months prior to a Nest application
- They must have a valid tenancy agreement with a minimum of six months left to run
- Private sector tenants need to show a proof of residency/address letter and a valid tenancy agreement to the whole house assessor
- There is a limit to three properties a landlord can have upgraded, after which point they'll have to pay themselves.

Once a property has been referred, the landlord needs to submit a valid gas safety record.

Measures could include a new central heating boiler/system, a package of insulation measures and renewable energy technologies (where appropriate).

Energy Company Obligation (ECO)

Energy Company Obligation (ECO) is a national initiative that provides a range of insulation, heating and other measures to low-income and vulnerable households. Eligibility criteria and limitations apply. For advice about ECO and other more general energy efficiency measures tenants should contact their energy supplier.

There are restrictions on how ECO funding can be used by a landlord to bring an Energy Performance Certificate band F or G-rated property up to band E or above.

Low-cost insulation measures (e.g. loft and cavity wall insulation) are not eligible for F or G-rated private-rented sector properties. Landlords will have to pay for these themselves. (A-E are eligible);

Higher cost insulation measures (e.g. internal and external solid wall insulation) are available with no EPC restrictions.

Funding for broken heating is not available. However, inefficient heating in F or G-rated private-rented sector properties can be replaced but only if it is renewable.

ECO measures in the private-rented sector

Low cost insulation (e.g. loft and cavity wall insulation)	<ul style="list-style-type: none"> • A-E rated properties are eligible
Solid wall insulation	<ul style="list-style-type: none"> • Available with no EPC restriction • Expanded in-fill rules*
Broken heating	<ul style="list-style-type: none"> • Not eligible
First time central heating	<ul style="list-style-type: none"> • A-E rated properties are eligible • F and G-rated for renewable heating only • Where existing heating is electric storage heating 100% MUST be inefficient • Oil-fuelled systems WILL NOT qualify
Inefficient heating replacements	<ul style="list-style-type: none"> • Eligible alongside certain insulation measures (not loft insulation) • A-E rated properties are eligible • F and G-rated for renewable heating only • Coal and oil-fuelled systems WILL NOT qualify
Efficient heating replacements	<ul style="list-style-type: none"> • Eligible where replaced by a renewable heating system
District Heating	<ul style="list-style-type: none"> • A-E rated properties are eligible • F and G-rated for renewable heating only • Expanded in-fill rules*

*In-fill rules are a flexible eligibility mechanism which can be used to make it easier to treat specific properties. Where at least 67% of properties in the same building, terrace or immediately adjacent buildings are eligible for ECO, the remaining properties can be treated as 'in-fill'.

Priority Services Register

The Priority Services Register (PSR) is a free service provided by energy suppliers and energy distribution companies to customers who:

- are of state pension age
- are disabled, chronically sick or have a long-term medical condition
- have a hearing or visual impairment or communication needs
- are in a vulnerable situation/experiencing a life-changing event

These priority services may include:

- advance notice and other assistance during a power cut
- a password protection scheme
- communications in Braille, large print or CD
- meter reading services
- relocation of meters
- a bill nominee scheme

To apply, the tenant needs to contact their energy supplier.

Warm Home Discount Scheme

Where tenants qualify, and are with an energy supplier who is part of the scheme, then a Warm Home Discount (WHD) payment is worth £140 per year. Not all suppliers offer the discount. Tenants should contact their energy supplier for details.

The scheme supports two groups:

1. **Core Group** tenants automatically qualify if they receive the guarantee element of Pension Credit
2. **Broader Group** tenants are encouraged to apply for WHD (Broader Group) if:
 - they are on a low-income
 - they are in receipt of certain means-tested benefits and there is a vulnerability

Tenants should contact their electricity supplier to check their eligibility criteria, as this can vary.

Trust funds

Some energy suppliers provide trust funds principally for their own customers facing financial hardship including energy debts. Staff at Citizens Advice and other local advice centres could help a tenant to submit a trust fund application.

Other assistance

To find the electricity supplier to the property contact the distribution network operator (DNO). The local DNO can be found via the website www.energynetworks.org

To identify the gas supplier, contact the **Gas Meter Point Reference Line 0870 608 1524**

For energy efficiency advice visit simpleenergyadvice.org.uk

For advice about debt and money matters contact any of the following:

Citizens Advice Consumer Service/Helpline – 03454 04 05 06

Money Advice Service – 0300 500 5000

National Debtline – 0808 808 4000

StepChange Debt Charity – 0800 138 1111

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National Energy Action
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Action for Warm Homes