

APPENDIX G: ACCESS TO HOUSING

1. SCOPE

The Council undertakes a range of duties in connection with helping the public to access housing.

The Council, as the local housing authority, has a duty under section 107 of the Renters' Rights Act 2025 to enforce the 'landlord legislation' in its area. This includes protecting residential tenants from illegal eviction and harassment, under sections 1 and 1A of the Protection from Eviction Act 1977. Enforcement action is defined as imposing a financial penalty or instituting proceedings against a person for an offence in their area.

This also considers the implied prioritisation of enforcement over less formal means of achieving compliance as required by the Renters' Rights Act 2025. Although permitting less formal options to achieve compliance, the assumption with provisions covered by this Act is that these measures should only be used where there is clear evidence that they will achieve compliance. In every other instance, when considering any intervention under this Act, enforcement shall be the first and main course of redress.

Section 107, Renters' Rights Act 2025 defines 'landlord legislation' as follows:

- Chapters 3 and 6 of Part 1 of the Renters' Rights Act 2025,
- Part 2 of the Renters' Rights Act 2025,
- Sections 1 and 1A of the Protection from Eviction Act 1977, and
- Chapter 1 of Part 1 of the Housing Act 1988.

It is an offence under Sections 171 and 214 of the Housing Act 1996 for a person to make a statement which is false, or to knowingly withhold information from the Council which would be relevant to their application for housing assistance. Where fraud or deception is suspected, the Council will consider all enforcement options, including prosecution.

The Council's Housing Team is responsible for the operational management of these functions (for illegal eviction/harassment cases, any action would be carried out in conjunction with the Environmental Health team).

2. THE USE OF ENFORCEMENT TOOLS

The general principles relating to enforcement decision making are explained within the main body of this Policy.