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1 hazard. Where there are multiple hazards, the same notice can require action to deal with both category 1 and 2 hazards.

- 2.5 **Prohibition Orders** . Section 20 in response to category 1 hazards and Section 21 in response to category 2 hazards. An Order may prohibit the use of part or all of a premises for some or all purposes, or for occupation by a particular number or description of people. An order may be appropriate where conditions present a serious threat to health or safety but where remedial action is considered unreasonable or impractical. It may also be used to limit the number of persons occupying the dwelling or prohibit the use of the dwelling by specific groups. In an HMO it can be used to prohibit the use of specified dwelling units.
- 2.6 **Hazard Awareness Notices** . Section 28 in response to category 1 hazards and section 29 in response to category 2 hazards. This is used where a hazard has been identified but it is not necessarily serious enough to take formal action. It is a way of drawing attention to the need for remedial action. This notice will not be used if the situation is considered serious enough for follow up inspections to be made. This notice is not registered as a land charge and has no appeal procedure. The service of a Hazard Awareness Notice does not prevent further formal action from being taken, should an unacceptable hazard remain.
- 2.7 **Emergency Remedial Action** - Section 40 and only in response to a category 1 hazard that involves an immin

- 3.3 The Environmental Health Section operate a triage system whereby all calls are assessed on receipt to determine the complaint history associated with a premises and the seriousness of the disrepair complaint. On receipt of a complaint, Business Support will check the complaint history on the property to determine if complaints about disrepair have been made about that property in the previous 12 months. If complaints have been made, then a note of this will be made for the relevant case officer.
- 3.4 Once the case officer has received the complaint, they will endeavor to contact the complainant on at least 3 occasions. If they are unable to make contact, then a letter will be sent requesting that the complainant contacts the Officer to discuss their concerns. If no response is received within 2 weeks then the complaint will be closed.
- 3.5 A risk-based assessment of each case will be made by the responsible case officer to determine if a timely response would be appropriate given the circumstances of the service request. Specifically, we will always attempt to respond to complaints such as those below within 24 hours of receipt:
- a) No hot water
  - b) Breakdown of a heating system especially during prolonged periods of cold weather
  - c) Burst pipes resulting in flooding
  - d) Dangerous electrical system when confirmed by a qualified person
  - e) Structural collapse
  - f) Severe water ingress resulting in or likely to result in flooding
  - g) Inadequate fire precautions in an HMO
- 3.6 The above list is not exhaustive and is intended to be used as a guide only. The case officer will make a risk-based assessment of every service request and respond as soon as practicable. Where defects are alleged to be of an urgent nature, the case officer may need to instigate a more formal response to the complaint which may require the need for a site visit and property inspection at an early stage.
- 3.7 Where a complaint concerns a defect which is considered non-urgent in nature and no complaints have been received in the previous 12 months, then the case officer will send a letter to the landlord advising them that a complaint has been received about their property and detail the nature of the alleged disrepair matters. This letter will provide the landlord with a 28-day timescale to investigate the matters and where possible, complete the required remedial works within that time period. The landlord will also be advised that if the matters are not investigated within this timescale, the Authority may need to intervene formally to resolve the matter. The complainant will also be informed by letter of the action the Authority has taken and will be requested to contact the Environmental Health Section if the matters have not been investigated within 28 days, so that the Authority may consider formal action to resolve the matter.

#### **4.0 Approach to Enforcement**

- 4.1 The Environmental Health Section works to improve the housing conditions by use of advice and education. However, there are occasions where these methods are not successful in improving conditions and therefore it is necessary to consider formal enforcement action.
- 4.2 In doing so, officers will follow the principles of the Enforcement Concordat, which encourages openness, proportionality and consistency. Officers will be transparent in the way they sW\*nB(y)18prefore





category 2 hazard and prevent any recurrence of that hazard within 12 months. In most cases the schedule of works will bring the property as close to the ideal as is reasonably p

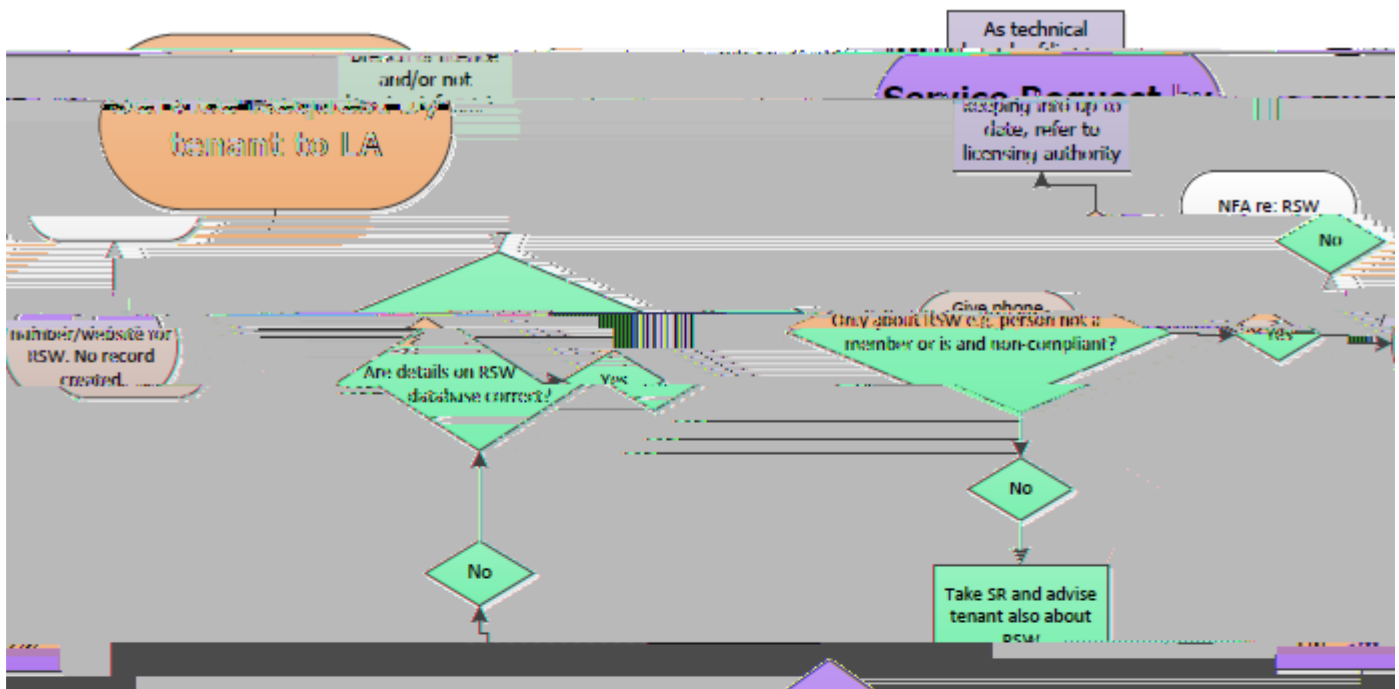


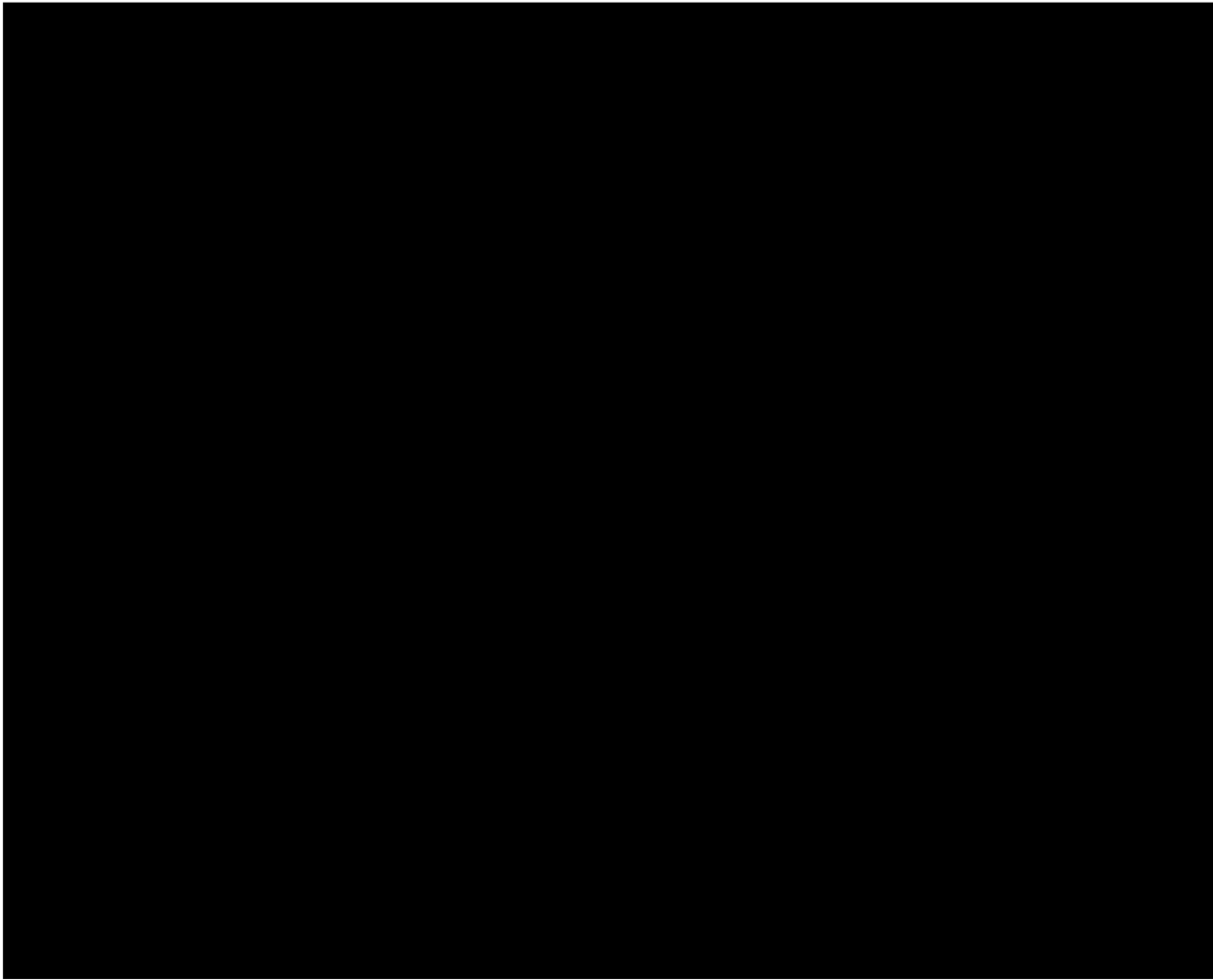


- 7.3 The decision to prosecute is not taken lightly. Consideration will be given to other forms of action, including formal cautions, before a prosecution is commenced. When making a decision of this nature the officers of the Council will pay due regard to the [Public Protection & Environmental Enforcement & Compliance Policy \(November 2022\)](#).
- 7.4 **Works in Default.** Works in default is a power the Council can utilise when an owner is asked to complete works at a property and fails to do so. In these cases, the Council will appoint a contractor to carry out the required works. This carries a financial risk to the Council if the owner fails to discharge the debt. Consequently, it is a preferred route to secure compliance with a notice is prosecuted.

by

# Appendix 1 Rent Smart Wales Referral





Service Request

Check complaint  
history of premises

Previous complaints  
within last 12 months

**Appendix 2 - Housing  
Service Request Flow  
Chart**

Arrange visit  
with tenant

Obtain landlord details  
from tenant/revenues/land  
registry etc.

Contact landlord by phone if  
possible & appropriate

