

Appendix 3 Charging for Housing Act 2004 Enforcement Action

Section 49 of the Housing Act 2004 gives local authorities the power to make a reasonable charge to recover administrative and other expenses incurred by them when taking enforcement action under the Act.

The local authority will charge for regulatory effort made in accordance section 40 of the Act for enforcement action upon landlords and owners of properties run by agents except in the case of hazard awareness notice. The charge will recover officer time for determination of appropriate action which will include the Housing Health and Safety Rating System (HHSRS) assessment and review of options in accordance with the Office of the Deputy Prime Minister HHSRS Enforcement Guidance as well as the preparation and service of notice /order.

Charge may be waived for owner occupiers and in exceptional circumstances upon landlords. This will be determined on a case by case basis by the Environmental Health Group Leader.

Charges have been determined based on the estimate of regulator effort involved as follows:

Enforcement Action	Section	Charge £
Improvement Notice (inc. Suspended)	11 and 12	360
Prohibition Order (inc. suspended)	20 and 21	360
Emergency Remedial Action	40	360
Emergency Prohibition Order	43	360
Review Suspended Improvement Notice or Improvement Order	17 and 26	160

Breakdown of costs are set out in the table below:

General Charge for the Determination of Actions for Improvement Notice and Prohibition Order					
Action	Grade	Time in minutes	Basic cost per activity	Overheads - Support Service costs at 25%	Total cost per activity
HHSRS Inspection of premises.	EHO	120	51.24	12.81	64.05

Review of information collated from inspection e.g. pictures, deficiencies, and comparison with the HHSRs inspection guidance	EHO	120	51.24	12.81	64.05
Scoring of Hazards based on inspection guidance	EHO	60	25.62	6.405	32.03
Determination of appropriate action statement & reason for decision to take enforcement action	EHO	120	51.24	12.81	64.05
Preparation of Notice or Order, Identifying actions. Review of building control approved documents, Service of notice	EHO	120	51.24	12.81	64.05
Review of determination and appropriate action by the authorised officer for service of notice	EHGL	120	60.00	15.00	75.00
Total Cost Improvement Notice, Prohibition Order, Emergency Remedial Action, Emergency Prohibition Order	£363.23				
Total Cost Review of Suspended Improvement notice or suspended prohibition order Includes inspection reassessment	£160				

