



News Release

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Landlord Prosecuted by South Hams District Council

A landlord has been fined £660 at Newton Abbot Magistrates Court, with further prosecution likely, for failing to comply with the Housing Act 2004.

The landlord was reported to South Hams District Council by his tenant, a vulnerable man in his 70s who has lived there for over forty years, for failing to carry out remedial works to the property.

When the property was inspected by Environmental Health Specialists from the Council, it was found to have rising damp, inadequate heating, dangerous stairs, poor quality and uncertified electrics, inadequate fire protection and numerous trip hazards.

As a result, an Improvement Notice was served on the Landlord requiring him to carry out urgent works to the property.

Cllr Jonathan Hawkins, Executive Member for Health and Wellbeing at South Hams District Council, said: “The landlord has not engaged with us at all to try and improve this property for the tenant. As part of the Improvement Notice, under the Local Government (Miscellaneous Provisions) Act 1976, the Landlord was required to complete a form confirming he is the owner of the property, and he failed to do this.

“Given his continual refusal to engage, our officers felt they had no option to begin legal proceedings.”

The landlord was summoned to appear at Newton Abbot Magistrates Court on for failing to comply with the requirements of the Local Government (Miscellaneous Provisions) Act 1976. He failed to attend and was tried in his absence.

The landlord was fined £660 for the offence, and the council was awarded costs of £840. In addition, the landlord is required to pay a Victim Surcharge of £66.

Cllr Hawkins continued, “This is just the first stage of the legal action we can take against this landlord. If he fails to comply with the improvement notice, we can either issue a fixed penalty notice of up to £30,000, or seek to prosecute.

“If need be, South Hams Council can carry out the works required and charge the cost of this work back to the landlord.

“Landlords have a duty to make sure that their properties are suitable for letting, and it’s simply unacceptable that anyone should be left to live in these conditions, let alone a vulnerable elderly person. It is a great shame that the landlord did not take his responsibilities to his tenant seriously.”

For more information about Rental Housing Standards, including how the Council can help, please see <https://www.southhams.gov.uk/article/3553/Rental-Housing-Standards->

ENDS

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