

## **A review of Lettings Adverts for Compliance with Energy Performance Certificate (EPC) Requirements and Minimum Energy Efficiency Requirements (MEES)**

**April 2020**

### **Introduction**

The Minimum Energy Efficiency Standard (MEES) which came into force in England and Wales on 1 April 2018, applies to private rented residential property and is aimed at encouraging landlords to improve the energy efficiency of their properties by a restriction on the granting and continuation of existing tenancies where the property has an Energy Performance Certificate (EPC) Rating of F and G (in other words the least energy efficient housing stock).

An EPC sets out the rating of a property with recommendations on improving its energy efficiency. Any property which has been let since 2008 (with certain exceptions) requires an EPC, the certificate generally lasts for 10 years.

From 1 April 2018, landlord's properties which fall into the above categories, may not grant a tenancy to new or existing tenants with an EPC rating of F and G and from 1 April 2020 landlords will not be able to continue letting a property with such a rating.

Where the landlord wishes to continue letting the property which does not meet the above standard, they will need to ensure that the relevant energy efficiency improvements listed on the EPC are carried out to meet the minimum E rating using any available third party funding arrangements or self-fund up to a £3 500 maximum spend.

Landlords may also be able to claim exemptions in certain circumstances. These include where the costs exceed the £3,500 maximum threshold, where 3<sup>rd</sup> party permissions are not forthcoming, where the necessary work would devalue the property etc. Such exemptions must be registered on the National PRS Exemption Register and suitable and sufficient evidence supplied to justify the exemption.

### **Aim**

To search popular lettings web sites to identify rented properties being let with a rating of F or G (in breach of the above MEES standard) and also identify rented properties which do not have an EPC score displayed on the advert.

## Method

This project initially started in January 2019 by reviewing lettings adverts in the former Dorset Councils Partnership area (North Dorset, Weymouth and Portland and West Dorset), this has more recently been extended to include the former East Dorset and Purbeck areas i.e. the whole of the Dorset Council administrative area.

Searches have to date been carried out within a radius of 3-5 miles of the main towns throughout the Dorset Council area via popular lettings web sites such as Rightmoves.

After identifying an advert either without an EPC or a rating below an E, a standard email contact is sent to the letting agent outlining the purpose of the contact and the legal basis (see Appendix). At this point the address of the property is not known and therefore a screen shot and advert link will be saved for future reference. The address is always obtained and then the item can be added to the Tascomi database as a service request.

It is a common misconception of letting agents that listed rented properties do not require an EPC. Therefore there has been a process of educating agents in the need for an EPC for such properties, on the basis that it is effectively the required work that leads to an exemption, not the listed status itself.

## Results

As of the end of March 2020, 313 adverts have been reviewed and 47 (15%) have been found to be advertised without an EPC. Most of these are administrative errors on behalf of the agent who has 'forgotten' to upload the relevant document.

By area the following results are available:

Area	Total adverts checked	Number of adverts within EPC	Number of adverts with EPC rated F or G
West	161	22	1
Weymouth	48	7	1
North	72	8	1
East	45	6	0
Purbeck	32	4	0
<b>Total</b>	<b>313</b>	<b>47</b>	<b>3</b>

To date this work has identified 3 properties let out in contravention of the MEES standard. These have resulted in works being carried out and an updated EPC being produced with improved ratings.

## **Outcomes**

1. Letting agents have been contacted about 47 properties to ensure the EPC's are properly advertised
2. 3 properties have been improved to an E rating or above
3. In this process agents have instructed landlords to carry out works which go over and above the minimum requirements of MEES
4. Letting agents have been educated in the need for obtaining an EPC for listed buildings. This has resulted in many agents adopting new processes for all of their listed building portfolio, obtaining 'first time' EPC certificates with works being carried out as a result
5. This process has led to positive educational engagement with agents which has led to improved sign up and attendance at the council's landlord forum and specific presentations about MEES and EPC's.
6. The checking of adverts sends a message to agents that the Council is checking MEES compliance

## **Recommendations**

- It is recommended that this process continues
- The emphasis of the Council's work moves from education to enforcement
- Future checking of exemption register

**Mark Beale, Administrative Assistant, Housing Standards**  
**Steve March, Senior Environmental Health Officer, Housing Standards**  
**April 2020**

## **Appendix – Standard contact script**

### **No EPC provided**

Dear Sirs,

I work for Dorset Councils in the Housing Standards Team and the monitoring of Minimum Energy Efficiency Standards (MEES). We have identified that it would appear that an EPC has not been provided on the current advert for this property. I would be grateful if the advert could either be amended to include the EPC result or the EPC forwarded to me. Please provide the full address in your response so we can update our records.

Yours faithfully

### **No EPC Listed Building**

Dear Sirs,

I work for Dorset Councils in the Housing Standards Team and the monitoring of Minimum Energy Efficiency Standards (MEES). It would appear that an EPC has not been provided on this advert. It's noted that the property is a Listed Building. It's a popular misconception that Listed Buildings are exempt from obtaining an EPC for renting purposes. Only once an EPC is obtained and the recommended works identified can the property be exempted. I'd therefore be grateful if the advert could be amended to include the EPC result or the EPC forwarded to me. Please provide the full address in your response so we can update our records.

Yours faithfully

### **EPC of F or G**

Dear Sirs,

I work for Dorset Councils in the Housing Standards Team and the monitoring of Minimum Energy Efficiency Standards (MEES). It has been identified that this property is rated [F or G] and therefore the recommended EPC work should either be completed, planned or an exemption formally registered. I would be grateful if you can update me on your proposals. Please provide the full address in your response so we can update our records.

Yours faithfully