



Landlord engagement in the Private Rented Sector and enforcement of Minimum Energy Efficiency Standards: survey analysis

Introduction

All privately rented homes in England and Wales (with some exemptions) will be required to achieve EPC Band C by 2030, making effective local authority enforcement essential. To assess current enforcement capacity, resources and powers, we surveyed local authorities and conducted two follow-up interviews. The findings will inform advocacy for stronger, better-resourced enforcement to ensure the Private Rented Sector Minimum Energy Efficiency Standards (PRS MEES) are delivered in practice.

Methodology

This survey ran from 11 May to 26 May; 29 local/combined authorities responded. We conducted two in-depth interviews. To supplement the survey findings, two in-depth 30-minute semi-structured interviews were conducted with local authority representatives to gather richer qualitative insights into current enforcement practices, challenges and resource constraints.

Key findings

Enforcement by local authorities tend to be primarily reactive, rather than proactive.	Only seven out of 26 local authority respondents report proactively enforcing PRS MEES.
Enforcement activity was generally low, with most local authorities reporting between 1–10 PRS cases and 1–10 compliance checks in the past 12 months.	Most local authorities reported handling relatively low levels of PRS enforcement activity, typically managing between one and 10 cases and conducting one-to-10 compliance checks in the past 12 months. However, a substantial proportion reported undertaking no PRS cases or compliance checks during this period, and only a small number had issued financial penalties.
Seven out of 24 respondents reported that DESNZ guidance does not support their enforcement activity.	DESNZ guidance was generally viewed positively, with respondents describing it as clear and useful for understanding legislation, exemptions and enforcement processes, with recent updates improving usability. However, local authorities identified several challenges, including a lack of practical advice on achieving retrofit standards, limited funding and staffing capacity to act on the guidance, and ongoing enforcement difficulties related to EPC reliability and the delayed enforceability of regulations.
Staff capacity and access to data are seen as key enabling factors.	Dedicated staffing resources and access to relevant data were the factors most often identified as supporting MEES enforcement. Of these, staff capacity was the most cited requirement for local authorities to act to the full extent of their enforcement powers.

Insufficient staff capacity and access to data were mostly cited as a barrier to effective MEES enforcement.	Almost all of survey respondents who responded (21/23) cited insufficient staff capacity as a barrier. Other barriers pulled out from the verbatim include issues around exemptions, listed properties and worries about the impact of the availability of properties in the private rented sector.
Additional funding was the most commonly cited measure that would most improve MEES enforcement.	Additional funding was cited as the measure that would most improve MEES enforcement in the area (16/22). Followed by clear guidance and advice (9/22) and greater co-ordination across authorities (9/22). One respondent also suggested 'a duty to enforce' would be a reason to enforce, while another spoke of 'EPC assessment improvement'. When asked in more detail... Open-ended responses indicated that enforcement is often constrained by limited resources and low prioritisation, resulting in reactive, short-term approaches and reduced capacity for follow-up. Respondents also highlighted challenges associated with exemptions, including confusion, misuse and evidential requirements, while noting that direct engagement with landlords is one of the more effective mechanisms for supporting compliance.
Landlord forums are the most used engagement method among local authorities.	Landlord forums are the most used engagement method among local authorities (17/27), followed by the provision of digital and non-digital information. However, three local authorities report using none of the listed engagement approaches.

Policy recommendations

1. Use the Warm Homes Agency to increase awareness and support enforcement

Leverage the Warm Homes Agency's advisory function to improve awareness and proactive enforcement. Engagement must be crucial as awareness and knowledge is low by landlords and tenants alike.

For landlords: Provide clear guidance on MEES obligations and retrofit requirements.

For tenants: Increase awareness of rights, including Rent Repayment Order (RRO) eligibility and housing standards. It is especially important that vulnerable tenants needing tailored support are reached so that the process is not so reliant on the proactiveness of tenants.

For local authorities: Enable more proactive, targeted enforcement through data-sharing and visualisation tools. The Warm Homes Agency can leverage local delivery to work directly with local authorities, assist councils in securing funding, provide on-the-ground support rather than remote advice. It also can assist local authorities by providing effective co-ordination from a national level and join up fragmented enforcement activity.

2. Prioritise funding for PRS MEES enforcement

- Secure long-term, ring-fenced funding for enforcement activity of PRS MEES. Long-term funding can circumvent issues local authorities have faced with short-term funding cycles (including staff retention and skills being lost). Ring-fenced funding for PRS MEES enforcement ensures enforcement for that standard is not deprioritised.
- A dedicated, funded role can significantly improve the prioritisation and delivery of PRS MEES enforcement activities.
- Local authorities should not rely on income from civil penalties to fund enforcement activity. Reliance on civil penalty income as a source of future funding is considered unrealistic. Income is uncertain, repayment rates vary significantly, and it does not provide a reliable basis for workforce planning.
- Consider introducing a statutory duty requiring local authorities to prioritise MEES enforcement. However, this should be supported by dedicated funding to ensure the duty can be meaningfully delivered and not deprioritised in practice.

3. Accelerate the creation of the PRS register

Enhance the PRS register to support more effective, intelligence-led enforcement:

- Include additional data fields, such as historic enforcement actions and compliance records; gas safety certificates; and energy performance information, all in one centralised place.
- This would enable local authorities to take a more holistic, risk-based approach to enforcement, and target more effectively.

4. Prioritise enforcement through clear duties

Establish stronger expectations for enforcement activity:

- Consider introducing a statutory duty on local authorities to prioritise MEES enforcement.
- Ensure enforcement is consistent across areas and aligned with national objectives.

5. Combine reactive and proactive enforcement:

- Require or incentivise local authorities to actively monitor compliance rather than relying on complaints.
- Combine regulatory 'stick' (enforcement) with 'carrot' (support, funding, guidance) to improve outcomes and consistency. Local authorities should strengthen and make greater use of engagement tools to raise awareness, particularly in areas where engagement with landlords is currently limited.

Case studies

We engaged with two local authorities to explore their enforcement practices, key barriers and enablers, and to test our policy recommendations. These discussions were used to refine the final recommendations.

Case study 1: A proactive, data-led approach to PRS MEES enforcement

One local authority described a predominantly proactive approach to enforcing Minimum Energy Efficiency Standards (MEES) in the private rented sector (PRS), supported by dedicated funding for a part-time enforcement role. Rather than relying solely on complaints, the authority actively identifies potentially non-compliant properties through a range of data sources, including Energy Performance Certificate (EPC) registers, council tax records, Land Registry data, housing surveys, and tenant reports. Information from multiple datasets is cross-referenced to investigate potential non-compliance before landlords are contacted.

The authority has also developed constructive relationships with larger landlords and estates operating in the area. In some cases, these landlords have voluntarily shared details of their property portfolios, enabling the authority to work collaboratively towards compliance.

Enforcement in practice

The authority's enforcement approach places a strong emphasis on engagement and early intervention. Landlords are typically contacted with an initial letter explaining the regulations and providing an opportunity to respond. Most landlords engage at this stage and take steps towards compliance, reducing the need for formal enforcement action. Follow-up communication is generally only required where landlords fail to respond.

According to the interviewee, this approach has been effective in achieving compliance outcomes and has enabled the authority to exceed its annual targets for bringing non-compliant properties into compliance. Providing advice and support at an early stage was viewed as critical to securing positive outcomes.

The role of data

Effective enforcement relies heavily on access to data, but the authority noted that information remains fragmented across multiple systems and organisations. While several datasets support compliance investigations, identifying private rented properties can be challenging. The interviewee highlighted the potential value of additional data sources, including tenancy deposit scheme information, and expressed strong support for greater data-sharing arrangements. The introduction of a comprehensive landlord database was viewed as a significant opportunity to improve enforcement by providing more complete and accessible information on both landlords and properties.

Challenges and constraints

Despite the success of the authority's approach, several challenges remain. The most significant relates to data management and IT systems. Existing systems were described as limited in their ability to analyse, extract, and report information effectively, making it difficult to monitor enforcement activity and demonstrate impact.

Resource constraints were also highlighted as an ongoing challenge. Although improvements to systems and data integration would strengthen enforcement capability, competing organisational priorities and financial pressures limit the scope for significant investment.

Fuel poverty and wider policy considerations

While the interviewee's primary focus is MEES compliance rather than fuel poverty, fuel poverty considerations are incorporated into landlord engagement activity. Communications emphasise the benefits of warmer, healthier homes and signpost landlords towards relevant support services.

Key learnings from case study 1

- **A proactive, engagement-led approach to enforcement can be highly effective**, with many landlords' achieving compliance through advice and early intervention, reducing the need for formal penalties.
- **Dedicated funding for PRS MEES enforcement roles can enable a more proactive and sustained approach**, allowing local authorities to prioritise PRS MEES enforcement and monitor compliance more effectively.
- **Access to, and integration of, multiple data sources is critical for effective enforcement**, helping authorities to identify non-compliant properties, target resources efficiently, and improve compliance outcomes.

Case study 2: A resource-constrained, complaint-led approach to PRS MEES enforcement

One local authority reported that it is not currently undertaking proactive enforcement of Minimum Energy Efficiency Standards (MEES) in the private rented sector and has no immediate plans to do so. Instead, enforcement activity is largely reactive, with energy efficiency issues typically addressed only when they arise through tenant complaints or investigations relating to other housing hazards.

The authority identified limited staffing capacity as the primary reason for this approach. Existing resources are already stretched, and upcoming legislative changes, particularly those associated with the Renters' Rights Act and the Supported and Specialist Housing Regulatory Oversight Act, are expected to place additional demands on enforcement services.

A focus on support rather than enforcement

Rather than pursuing proactive enforcement, the authority seeks to encourage compliance through guidance, engagement and financial support. The local authority mentioned available support including an interest-free loan scheme for landlords carrying out energy efficiency improvements, as well as access to Warm Homes funding programmes. In the past, grant funding was also available to support landlords in upgrading substandard properties to meet Minimum Energy Efficiency Standards (MEES), although this scheme was later discontinued due to low uptake. The interviewee noted that these measures are viewed as a more practical use of limited resources than large-scale enforcement activity.

Complaint-led enforcement

The authority receives approximately 500 housing complaints each year, although only a minority progress to formal enforcement action. Historically, the council has adopted a cooperative approach, working with landlords to resolve issues informally before resorting to statutory notices or penalties. However, the interviewee expressed concern that recent legislative changes may require a greater reliance on formal enforcement mechanisms. Civil penalties were described as particularly resource-intensive due to the evidential requirements and significant case preparation involved.

Engaging landlords

Direct engagement with landlords remains an important part of the authority's approach. Landlord contact primarily takes place through complaint investigations, targeted neighbourhood work, and a

voluntary landlord accreditation scheme. The accreditation scheme includes around 250 landlords and covers several thousand private rented properties across the district. Participating landlords receive practical benefits, such as discounts on licensing fees and other incentives. While the scheme continues to support communication and relationship-building, the interviewee noted that its influence has declined as strong demand for rented housing has reduced the need for accreditation as a marketing tool.

Key challenges

The interviewee identified resource constraints as the principal barrier to proactive MEES enforcement. Limited staffing capacity, competing policy priorities and increasing legislative responsibilities all restrict the authority's ability to undertake compliance monitoring and enforcement activity.

As a result, enforcement efforts are focused on responding to complaints and supporting voluntary compliance, rather than systematically identifying and investigating non-compliant properties.

Key learnings from case study 2

The authority's experience demonstrates how staffing pressures and competing priorities can result in a predominantly reactive approach, with landlord engagement, financial support and voluntary compliance measures playing a larger role than formal enforcement activity.

Cooperative, proactive engagement with landlords is seen as much more preferable than issuing penalties.