



## REQUEST 19187

I am writing to request information held by you about enforcement actions taken in relation to private landlords and privately rented homes.

Please provide, for the period 1 January 2020 to 31 December 2025 inclusive, a month-by-month dataset showing the number of enforcement actions undertaken against private landlords and/or in respect of privately rented dwellings.

For each month, please provide the following fields (as held in your records):

- a. Month (YYYY-MM)
- b. Enforcement action type (using your own internal categories or statutory power labels)
- c. Reason/category for the action (using whatever category/issue code you use for tracking)
- d. Outcome/status of the action (using your tracking outcomes, e.g. complied, appealed, revoked, conviction, civil penalty issued, penalty paid/unpaid, works in default completed, etc.)
- e. Count of actions (integer)  
If your system records an action at property-level or case-level, please count each recorded enforcement action instance. If multiple notices/orders are recorded under a single case, please count each distinct action as recorded in your system.

### Scope and definitions (to reduce ambiguity)

For avoidance of doubt, by “enforcement actions” I mean any formal action taken under housing, public health, licensing, planning, or related statutory powers that you record as enforcement against a private landlord or a privately rented

## RESPONSE

We are withholding the requested information under section 31(1)(g) of the Freedom of Information Act 2000, which applies where disclosure would, or would be likely to, prejudice the exercise by a public authority of its functions for the purposes set out in section 31(2), in particular:

- Section 31(2)(a): the purpose of ascertaining whether any person has failed to comply with the law; and
- Section 31(2)(c): the purpose of ascertaining whether circumstances exist which would justify regulatory action.

### Prejudice test

Disclosure of the requested information would be likely to prejudice the effective exercise of the authority’s regulatory and enforcement functions for the following reasons:

#### 1. Undermining civil penalty recovery

The requested information would reveal the level of unpaid civil penalty debt. Disclosure of this information would allow individuals or organisations subject to enforcement action to infer the effectiveness of the authority’s debt recovery activity. This could weaken the deterrent effect of civil penalties by encouraging non-payment, on the basis that recovery action is perceived to be limited or ineffective. This would be likely to prejudice the authority’s ability to secure compliance with the law and to recover sums lawfully owed.

property. This includes (where held) but is not limited to:

- Housing Act 2004 actions such as Improvement Notices, Prohibition Orders, Hazard Awareness Notices, Emergency Remedial Action, Emergency Prohibition Orders, and related notices/orders.
- HMO licensing enforcement actions (mandatory/additional/selective licensing), including licence refusal/revocation, civil penalties, prosecutions, and any recorded enforcement notices relating to licensing breaches.
- Works in default, rent repayment order applications initiated by the authority, and any other formal PRS enforcement powers you record.

If you use a narrower operational definition of “enforcement action” for reporting, please apply your standard definition and explain it briefly.

### **Format requested**

Please provide the information in a machine-readable format, preferably CSV or Excel, with one row per (month, action type, reason/category, outcome/status). If you hold the information in a database, I am content to receive an export.

### **Advice and assistance**

If compliance with this request is likely to exceed the appropriate cost limit under section 12 of the Act, please provide advice and assistance under section 16. In particular, please indicate which part of the request would trigger section 12 and propose a refinement that would allow disclosure, for example by:

- providing the dataset for a shorter period first (e.g. Jan 2022 to Dec 2025), or
- providing a higher-level reason/outcome grouping that you already report, or
- providing totals by action type only.

If any fields are not held in the form requested, please supply the closest equivalent data you do hold (for example, if “reason” is recorded as free text, please provide your standard categories or codes, or a count by action type and outcome only).

## **2. Reducing future compliance**

Disclosure of enforcement volumes would enable regulated persons to assess the likelihood of enforcement action being taken. Where enforcement activity appears limited, this may reduce the perceived risk of non-compliance and encourage unlawful behaviour. This would be likely to prejudice the authority’s ability to prevent and detect breaches of the law.

## **3. Revealing enforcement capacity and priorities**

The requested data, either on its own or when combined with other information already in the public domain, could reveal details about enforcement capacity, resourcing levels or operational priorities. This could enable individuals or organisations to adapt their behaviour to avoid detection or enforcement, thereby undermining the authority’s regulatory effectiveness. This type of “mosaic effect” would be likely to prejudice the authority’s enforcement functions.

The prejudice described above is real, specific and significant, and there is a clear causal link between disclosure of the information and the harm identified.

### **Public interest test**

Section 31 is a qualified exemption, and we have therefore considered the public interest in disclosure against the public interest in maintaining the exemption.

### **Public interest in disclosure**

- Promoting openness and transparency about the authority’s regulatory and enforcement activity.
- Enabling public scrutiny of how civil penalties are applied and managed.
- Supporting accountability for the use of enforcement powers.

### **Public interest in maintaining the exemption**

- Ensuring the authority can carry out its enforcement and regulatory functions effectively.

- Maintaining the deterrent effect of civil penalties and encouraging compliance with the law.
- Avoiding disclosure of information that could be used to circumvent enforcement activity.
- Protecting the authority's ability to recover public funds and apply enforcement action fairly and consistently.

**Balance of the public interest**

While we recognise the general public interest in transparency, we consider that this is outweighed in this case by the strong public interest in ensuring effective enforcement of the law and maintaining compliance. Disclosure would be likely to undermine these objectives and therefore prejudice the authority's ability to carry out its statutory functions.

Accordingly, the public interest favours maintaining the exemption, and the information has been withheld under section 31 of the Freedom of Information Act 2000.