

## Housing Act 2004, as amended by The Housing and Planning Act 2016 Civil Penalties

### Fee Structure Matrix

Factors	Score = 1	Score = 5	Score = 10	Score = 15	Score = 20	Total
<b>Deterrence and Prevention</b> <b>(Pick 1 box only)</b>	High confidence that a financial penalty will deter repeat offending. Informal publicity not required as a deterrence	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for mild deterrence in the landlord community	Some confidence that a financial penalty will deter repeat offending (eg. No contact from offender). Some informal publicity will be required to prevent similar offending in the landlord community.	Little confidence that a financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending on the landlord community	Very little confidence that a financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending on the landlord community	
<b>Removal of Financial Incentive</b> <b>(Pick 1 box only)</b>	No significant assets. No or very low financial profit made by the offender.	Little asset value (1-2 properties). Little profit made by the offender	Small portfolio landlord (between 2-3 properties). Low asset value. Low profit made by the offender	Medium portfolio landlord (between 4-5 properties) or a small managing agent. Medium asset value. Medium profit made by the offender.	Large portfolio landlord (over 5 properties) or a medium to large managing agent. Little asset value. Large profit made by offender	
<b>Offence and History</b> <b>(Pick 1 box only)</b>	No previous enforcement history. Single low level offence.	Minor previous enforcement. Single offence	Recent second time offender. Offence has moderate severity or small but frequent impact(s)	Multiple offender Ongoing offence of moderate to large severity or single instance of very severe offence.	Serial offender. Multiple enforcement over recent times. Continuing to serious offence.	
<b>Harm to Tenants</b> <b>(Weighting x 2)</b> <b>(Pick 1 box only)</b>	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact	Likely some low level health/harm risk(s) to occupant may be seen (e.g. low level damp, low HHSRS scored items). No vulnerable occupants. Tenant provides poor quality information on impact.	Likely moderate health/harm risk(s) to occupant. Vulnerable occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary evidence.	High level of health/harm risk(s) to occupant. Tenants will be affected frequently or by occasional high impact occurrences. Vulnerable occupants more than likely exposed. Small HMO (3-4 occupants), multiple occupants exposed. Tenant provides good information on impact with primary evidence (eg prescription drugs present, clear signs of poor health witnessed but no secondary evidence.	Obvious high level of health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected. Multiple vulnerable occupants exposed. Large HMO (5+occupants), multiple occupants exposed. Tenant provides excellent information on impact with primary evidence and secondary evidence (eg medical social services reports	Double Score
<b>Final Total</b>						

\* If more than one offence, one hazard, breach of regulations or licence condition was on the notice / letter this figure can be doubled

Note 1: Add preparation of file costs to the final amount but the final amount must not exceed £30,000 (charge at agreed Council Officer

Note 2: Pay within 28 days -20% (first offence only), Complete works within Notice of Intent time period -20% (first offence only)

Note 3: Financial resources of the perpetrator must be taken into account as well as any relevant mitigation

Score Range	Fixed Penalty
1-5	£250
6-10	£500
11-20	£750
21-30	£1000
31-40	£2500
41-50	£5000
51-60	£10,000
61-70	£15,000
71-80	£20,000
81-90	£25,000
91-100	£30,000

### Failure to Licence (HMO or Selective)

1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	Subsequent Offences
£5,000 (1-5 properties)	£10,000 (1-5 properties)	£20,000
£10,000 (6 or more properties)	£15,000 (6 or more properties)	

Note 1: Add preparation of file costs to the final amount but the final amount must not exceed £30,000

Note 2: Pay within 28 days -20% (first offence only), and rectify within notice of intention period -20% (first offence only). Discounts come off original penalty amount and person / company can be applicable for both

Note 3: Financial resources of the perpetrator must be taken into account.