



*served by One Team*

South & East Lincolnshire Councils Partnership

**The fees outlined below, have been taken from a national model (Justice for Tenants) and are subject to statutory guidance.**

**The intention is for the Council to interpret the guidance and make any suitable adjustments based upon the metrics contained within.**

# **APPENDIX 3D**

## **STATEMENT OF PRINCIPLES IN RELATION TO MEES**

### **2026 – 2029**

**ENFORCEMENT POLICY**  
**HOUSING STANDARDS**

## CONTENTS

<b>Definitions</b>	
<b>Preliminaries</b>	
<b>Statement of Principles to Determine the Amount of a Penalty Charge for a Breach of MEES Regulations</b>	
<b>Delegated Authority and Competency of Officers</b>	
<b>Governance and Review</b>	

DRAFT

## **DEFINITIONS**

Where the term “Council” or “Authority” has been used, this refers to the relevant council applicable across the South & East Lincolnshire Councils Partnership (SELCP) being either; East Lindsey District Council, South Holland District Council or Boston Borough Council. This appendix has been adopted across the three and therefore aligns all standards and working practices.

“MEES” refers to the Minimum Energy Efficiency Standards with respect to Domestic Privately Rented Properties.

## **PRELIMINARIES**

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (“the Regulations”) make it unlawful to rent out a domestic property if it has an EPC (Energy Performance Certificate) rating of F or G (unless a valid exemption has been registered on the PRS Exemptions register).

## **STATEMENT OF PRINCIPLES TO DETERMINE THE AMOUNT OF A PENALTY CHARGE FOR A BREACH OF MEES REGULATIONS**

The Regulations make it unlawful to fail to comply with a compliance notice served by the Council.

The Regulations cover all relevant properties, even where there has been no change of tenancy.

The Regulations were introduced to improve the energy efficiency of housing in the private rented sector and to reduce greenhouse gas emissions and tackle climate change. They should help make tenants’ homes more thermally efficient.

An energy performance certificate (EPC) gives the property an energy efficiency rating – A rated properties are the most energy efficient and G rated are the least efficient. It’s valid for 10 years and must be provided by the owner of a property, when it is rented or sold.

If you are a landlord and you fail, when requested, to provide an EPC for the start of a tenancy, you will be in breach of the Regulations.

An EPC contains information about the type of heating system and typical energy costs. It also gives recommendations about how the energy use could be reduced, lowering running costs. You can find the recommended energy efficiency improvements on the current EPC.

If you’re a private landlord, you must either:

- ensure your rented properties have an EPC with a minimum ‘E’ rating
- register a valid PRS exemption on the PRS exemptions register

Failure to do either of these is a breach of the Regulations.

The Council investigates any potential breaches of the regulations. If the Council is satisfied that you are, or have at any time in the 18 months preceding the date of service of the penalty notice, breached the Regulations, you may be subject to a penalty notice imposing a financial penalty. The Council may also impose a publication penalty.

The “publication penalty” means publication, for a minimum period of 12 months, or such longer period as the Council may decide, on the PRS Exemptions Register of such of the following information in relation to a penalty notice as the Council decides:

- Where the landlord is not an individual, the landlord’s name
- Details of the breach of these Regulations in respect of which the penalty notice has been issued
- The address of the property in relation to which the breach has occurred, and
- The amount of any financial penalty imposed.

The Council will impose the following financial penalties:

- letting a property with an F or G rating for less than 3 months: £2,000
- letting a property with an F or G rating for more than 3 months: £4,000
- registering false or misleading information on the PRS exemptions register: £1,000
- failing to provide information to the Council demanded by a compliance notice: £2,000

The Council may not impose a financial penalty under both subsections (a) and (b) above in relation to the same breach of the Regulations. But they may impose a financial penalty under either paragraph (a) or paragraph (b), together with financial penalties under paragraphs (c) and (d), in relation to the same breach. Where penalties are imposed under more than one of these paragraphs, the total amount of the financial penalty may not be more than £5,000.

#### **DELEGATED AUTHORITY AND COMPETENCY OF OFFICERS**

All officers involved with the enforcement of legislation covered by this appendix will be competent to perform their duties in accordance with the legislation and agreed internal procedures and will carry out continuous professional development to do so. The Council has delegated the authority to serve notices/orders under various Acts and Regulations where the Safer Communities Group Manager has in turn delegated the service of some of these directly to enforcement officers. All notices/orders will be served having regard to this delegation scheme.

Officers authorised under section 113 of the Local Government Act 1972, are able to carry out Council functions outside of their sovereign council.

#### **GOVERNANCE AND REVIEW**

The Council’s Safer Communities Group Manager is authorised to make amendments to this appendix to ensure it remains up to date and to reflect statutory requirements in consultation with the Portfolio Holder.

Version Control			
Issue No	Author	Issue date	Reason For Issue
1.0	Group Manager – Safer Communities		Full update of prevailing legislation, plus alignment of appendix to a single appendix across the South & East Lincolnshire Councils Partnership (SELCP)

Approval		
Issue	Approval Authority	Approval Date
1.0	(ELDC) (BBC) (SHDC)	