

NORTHERN HOUSING FESTIVAL



The Decent Homes Standard: Time to Level- Up Housing Quality Across the North

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New Decent Homes Standard 2026

A Legal Perspective



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- Sec 193 -202 Housing and Regeneration Act 2008 – enabling the Regulator of Social Housing to enforce DHS in the social sector.
- The DHS is a **mandatory benchmark** for all rented homes in England.
- 28 January 2026 -New Decent Homes Standard applying across both the social rented sector (SRS) and private rented sector (PRS) for the first time, with full enforcement from 2035. First major change since 2006.
- The New DHS sits alongside:
 - LTA 1985
 - Renters’ Rights Act 2025.
 - Minimum Energy Efficiency Standard (MEES)
 - Awaab’s Law (Sec 42 SHR Act 2023 & the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025)= a unified regulatory framework covering safety, condition, energy performance, and landlord response obligations.
- Regulated through - Regulator of Social Housing’s consumer standards, which will embed the DHS directly into compliance assessments.

The updated DHS adopts a **five-criterion test**, shifting from age-based rules to **condition-based, risk-focused requirements**:

Criterion A – Serious Hazards

- Homes must be free from **Category 1 hazards** under HHSRS. This remains unchanged but is subject to stricter enforcement.

Criterion B – Reasonable State of Repair

- Age is no longer relevant—**condition alone** determines compliance.
- A home fails if **one key component** or **two other components** are in disrepair.

Criterion C – Core Facilities & Services

- Minimum facilities differ for houses vs. flats (kitchen layout, bathroom positioning, noise insulation, etc.).
- **Child-resistant window restrictors** now mandatory wherever there is a fall risk.

Criterion D – Thermal Comfort & Energy Efficiency

- Must meet **Minimum Energy Efficiency Standards (MEES)**.
- Must have **programmable whole-home heating systems**, with limited exemptions for safety.

Criterion E – Damp & Mould

- A **standalone requirement**, reflecting Awaab’s Law and heightened legal obligations to investigate and remedy damp/mould promptly.

Stock Condition & Data Governance

- Landlords must maintain **robust stock condition data**, demonstrate active inspection programmes, and retain **strong audit trails** evidencing how issues are identified and resolved.

Preventative Repairs Duty

- There is a shift away from reactive repairs: DHS creates an expectation of **preventative, risk-based management**, particularly regarding damp, mould and key components.

Compliance Planning

- Providers must incorporate DHS requirements into long-term asset management strategies through the 2035 transition period.
- The lead-in allows for programme planning, but the Government is clear landlords should **prioritise the most serious risks first**.

Awaab's Law

- The DHS interacts directly with the legal timescales for inspecting and remedying reported hazards.
- Failure to manage damp/mould risks could result in statutory breach under **both** regimes.

Renters' Rights Act 2025

- End of Section 21 will increase scrutiny on repair obligations and may accelerate claims where DHS breaches overlap with retaliatory eviction protections.

MEES & Net Zero Policy

- DHS effectively incorporates forthcoming **energy efficiency standards** into core compliance, making EPC performance legally relevant to decency for the first time.

Non-compliance exposes landlords to:

- Regulatory intervention from RSH (for social landlords).
- Reputation
- Customer experiencing in safe homes - RISK
- HO
- Civil claims (including disrepair, personal injury, Equality Act considerations for vulnerable tenants).

Evidence and data trails are essential—**good intentions are irrelevant** without logged compliance.

- Update **asset management strategies** to the new five-criterion structure.
- Ensure immediate readiness for:
 - Damp & mould investigation protocols
 - MEES-compliant heating/insulation planning
 - Component-condition assessments (not age-based)
- Strengthen **tenant communication**, complaints handling, and record keeping.
- Prepare board-level assurance frameworks to demonstrate proactive DHS compliance.

Thank You

msb

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NORTHERN HOUSING FESTIVAL



Fireside chat: Our Next Generation

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Takeaways



Housing employers



What young housing professionals want from work:

- Meaningful work that makes a difference to people's lives.
- Collaboration and a shared sense of purpose.
- Celebration of achievements.
- Greater awareness of careers in housing.
- Opportunities for growth.
- To have their ideas considered.
- Support for wellbeing.

How you can support this:

Read the report and recommendations.

Deliver greater consistency in workplace frameworks to ensure equal access to opportunity and enhance performance. This includes:

- Recruitment: Investigate and action initiatives targeting youth employment.
- Inductions, training and development, pay, policies..
- Managers: upskilling and protecting capacity to ensure access to learning and development, mentorship, support.
- Employee voice strategy is in place.
- Mental health plan.

Thank you

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Altair



[Read the report](#)

