

# CobbWarren

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## SOCIAL HOUSING BULLETIN – AUGUST 2025

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### WHAT'S IN THIS MONTH'S EDITION?

Before we dive into the legal updates, here's a date for your diary: we're teaming up with Resolve (the UK's leading community safety experts) for online training on **Preparing for the Renters Rights Act**.

It takes place on **2 October 2025 at 2pm** and is free for Resolve members.

**Register at:** <https://www.resolveuk.org.uk/membership/free-events-coming-up>

Now to the law. With Awaab's Law just two months away and electrical safety regulations landing in December, it's a busy time for compliance. Here's what's coming up:

- [Awaab's Law draft guidance](#) finally arrives (209 words)
- New [electrical safety rules](#) for social housing (171 words)
- Court of Appeal clarifies [injunction wording requirements](#) (184 words)

- Further compliance on its way: [tenant requests for information](#) (197 words)
- Expert evidence friction in [housing disrepair claims](#) (177 words)
- Succession rights for [stepchildren](#) clarified (207 words)

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## AWAAB'S LAW: DRAFT GUIDANCE IS HERE

The Government has finally published its [draft guidance](#) for Awaab's Law, which comes into force on 27 October 2025. With just two months to go, it's time to get serious about preparation.

### What you need to know:

- **Emergency hazards:** Must be investigated and made safe within 24 hours
- **Significant hazards:** Must be investigated within 10 working days, with safety work completed within 5 working days
- **Written summaries:** Required within 3 working days of investigation completion
- **Alternative accommodation:** Must be provided if safety work can't be completed on time

The law covers all emergency hazards plus damp and mould from day one. From 2026, it expands to include excess cold/heat, falls, structural collapse, explosions, fire and electrical hazards. By 2027, it covers almost all HHSRS (Housing Health and Safety Rating System) hazards.

**Key difference from HHSRS:** Awaab's Law takes a person-centred approach, considering tenant vulnerabilities when assessing risk. A hazard doesn't need to be Category 1 under HHSRS to trigger Awaab's Law requirements.

**Start preparing now:** Review your current repair processes, train staff on the new timescales, and ensure you have systems to track and report on compliance. The Housing Ombudsman's Centre for Learning has resources to help. You can access them [here](#).



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## NEW ELECTRICAL SAFETY RULES FOR SOCIAL HOUSING

Get ready for further compliance requirements. New electrical safety regulations are coming to social housing in December 2025.

If enacted, the draft Electrical Safety Standards in the Private Rented Sector (Extension to the Social Rented Sector) Regulations 2025 will introduce several requirements:

- **All new tenancies** from 1 December 2025 must have an electrical safety inspection report before the tenancy starts
- **Existing tenancies** must have a report completed by the end of October 2026
- **Regular inspections** every 5 years (or sooner if required) or if the property is to be re-let
- **Electrical equipment inspections** covering fridges, freezers, ovens, dishwashers, washing machines, tumble dryers etc.

**The proposed penalties are serious:** up to £30,000 in fines, plus potential remedial action by local authorities. However, it will be a defence to show reasonable steps have been taken to comply.

**What you need to do:** Start planning now. For properties requiring access, begin the process early. We can help you take swift enforcement action if access is refused.



## INJUNCTION TERMS MUST BE CRYSTAL CLEAR

Two tenants have successfully appealed against their committal for contempt of court in an important Court of Appeal case on how to word injunctions.

In *Connexus Homes Ltd v Weaver*, the landlord obtained an access injunction requiring tenants to comply with their tenancy agreement by granting them reasonable access to their outbuildings. But when the tenants continued to refuse access, they were sentenced to 14 days in prison (suspended for 12 months).

The tenants appealed, arguing the injunction wording was unclear. The original order simply required them to “comply with section 2 paragraph 11” of their tenancy agreement without setting out what “reasonable access” actually meant.

The Court of Appeal agreed. Following the established principle that “no order will be enforced by committal unless it is expressed in clear, certain and unambiguous language,” the court found the injunction “left room for any amount of ambiguity.”

**Lesson to be learned:** Injunction terms must be crystal clear at the outset, with specific requirements set out in the order itself rather than by cross-referencing separate documents.

Don't leave room for interpretation.



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## TENANT REQUESTS FOR INFORMATION

Last year, the Department of Levelling Up, Housing and Communities ran a consultation on allowing social housing tenants to request access to information about the management of their homes.

The Government has now announced its intention to introduce the Social Tenant Access to Information Requirements (“STAIRs”). These will come into force from October 2026, with full implementation by April 2027.

What STAIRs will require:

- **From October 2026:** Social landlords must proactively publish information about the management of their homes
- **From April 2027:** Social landlords to provide tenants with access to information about the management of their homes on request

The classes of information expected to be captured by STAIRs includes:

- Governance and decision-making (e.g. tenant meeting minutes)
- Spending (e.g. how service charge revenue is used)
- Housing stock management (e.g. maintenance work, and stock transfers)
- Performance data (e.g. inspection outcomes, and health and safety performance)
- Housing services (e.g. descriptions of services, and tenant guidance)

The details are still emerging about how the new requirements will work in practice. But it’s important to start thinking now about your information management systems and the data you’ll need to capture and publish.



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## EXPERT EVIDENCE FRICTION IN DISREPAIR CLAIMS

A landlord has failed to have two disrepair claims struck out, after raising concerns about the ‘unhealthy connection’ between housing disrepair solicitors and the surveyors they instruct.

In *Lancastle v Curo Group (Albion) Ltd*, the landlord argued that the tenants’ solicitors had breached civil procedure protocol by instructing their own expert while entirely excluding the defendants from the process. This was done to “tie

the hands” of landlords. It forced them to either accept the claimants' expert report or obtain their own at significant cost and risk.

Bristol County Court rejected this argument. HHJ Blohm KC found there was enough evidence to support the claims, and there was no abuse of process or bad faith in instructing the experts. While he acknowledged the claimants had breached the pre-action protocol (by not supplying fees or charging rates with the proposed experts' CVs, and instructing them prematurely), this wasn't sufficient to justify striking out the claims.

What these cases highlight is the growing tension between claimant and defendant lawyers in housing disrepair claims.



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### **SUCCESSION RIGHTS: WHO QUALIFIES AS A STEPCHILD?**

The Court of Appeal has clarified what constitutes a "stepchild" for succession purposes. It's stricter than you might think.

In *Abdelrahman v London Borough of Islington*, a woman applied to succeed to a tenancy, claiming she was the deceased tenant's stepdaughter.

Under the council's policy, stepchildren could succeed provided they had been living in the property for at least 12 months. But it defined "stepchild" as a child of a tenant's spouse or civil partner.

The claimant had lived with the deceased for three years and considered him a "father figure!". However, the council rejected her application because her mother and the deceased had never married or entered into a civil partnership. Nor had they lived together, choosing instead to maintain separate homes in Luton and London.

The claimant argued the council's policy was discriminatory and that the modern definition of "stepchild" should be broader.

The Court of Appeal disagreed. It held that requiring a parent's marriage or civil partnership was valid and didn't discriminate under the European Convention on

Human Rights. The policy provided clarity and certainty in social housing allocation.

**The bottom line:** Succession policies can lawfully limit "stepchild" definitions to children from previous marriages or civil partnerships.



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### **NEW RESOURCES IN CLIENT AREA**

We've added two new practical guides to the Client Resource Area on our website:

**Succession Decision Guide** – A step-by-step flowchart to help you navigate statutory, contractual and discretionary succession claims.

**Service Guide** – Comprehensive guidance on serving court documents and notices, including deemed dates and certificates of service.

Both guides are designed as practical tools you can refer to when dealing with real cases. If you don't have access to our Client Resource Area, contact us and we'll get you set up.

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