

CobbWarren

SOCIAL HOUSING BULLETIN – OCTOBER 2025



WHAT'S IN THIS MONTH'S EDITION?

As we head into autumn, there's one date that should be circled in red on every housing professional's calendar: 27 October 2025.

That's when Phase 1 of Awaab's Law goes live.

With just weeks to go, are your systems, staff, and contractors ready? This month, we're focusing heavily on Awaab's Law. The first four sections below cover different practical aspects of preparing for the new requirements.

In other news, we look at updated ASB Case Review guidance and share lessons from the Housing Ombudsman's report on window repairs.

Here's what's coming up.

Awaab's Law special:

- The [countdown](#) is on (190 words)
- [Day Zero](#): when does the clock start ticking? (277 words)

- The [alternative accommodation](#) headache (235 words)
- Your [defences](#) when deadlines slip (277 words)

Also in this issue:

- [ASB Case Reviews](#): are your procedures compliant? (218 words)
- Lessons from [window repairs](#) gone wrong (258 words)
- [Renters' Rights](#): Royal Assent imminent (73 words)
- SRA warns of poor practice in [disrepair claims](#) (50 words)

AWAAB'S LAW: THE COUNTDOWN IS ON

On 27 October 2025, Phase 1 of Awaab's Law takes effect through the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025.

As we reported back in August, the timescales are tight: 24 hours for emergency hazards, 10 working days to investigate significant hazards (damp and mould), then 5 working days to complete safety work.

Under Phase 1, from 27 October 2025 social landlords will have to address within the timescales all emergency hazards and all damp and mould hazards that present a significant risk to tenants. Phase 2 (in 2026) extends to other significant hazards. Phase 3 (in 2027) captures remaining Housing Health and Safety Rating System (HHSRS) hazards except overcrowding.

With just weeks to go, are your systems ready?

Your preparation checklist:

- Map all routes through which you might "become aware" of hazards (more on this below)
- Train everyone who might receive hazard reports - not just housing officers
- Check contractor arrangements – can they deliver to these timescales?
- Line up temporary accommodation options now
- Upgrade record-keeping systems - detailed evidence of when you knew and what you did is essential
- Review out-of-hours protocols



DAY ZERO: WHEN DOES THE CLOCK START TICKING?

There's a key phrase in the regulations: when you "become aware" of an issue.

That's Day Zero, which is when the deadlines start running. But "becoming aware" isn't just about tenant phone calls.

You can become aware through:

- Tenant reports (phone, email, text, portal, social media)
- Routine inspections or property visits
- Contractors discovering issues during other work
- Smart home systems or sensors alerting you
- Third parties (neighbours, family members, advocates)
- Reports from regulators, fire and rescue, building control
- Investigations into different but related hazards

Every single route starts the clock. Which means there are major training implications for your teams and partners.

Your contact centre staff are obvious, but what about repairs operatives who spot issues during routine jobs? Housing officers doing welfare checks? Surveyors carrying out stock condition surveys, gas engineers on annual safety visits, and estate services teams working in communal areas?

They all need to know what counts as a potential emergency or significant hazard, how to report it immediately, and why capturing the exact date and time matters.

Out-of-hours arrangements

The 24-hour deadline for emergency hazards doesn't pause at 5 PM on a Friday. Your out-of-hours service will need systems to:

- Receive and triage hazard reports
- Trigger emergency response protocols
- Record the exact time of awareness
- Brief in-hours teams on Monday morning

Record-keeping is critical.

You need clear audit trails showing when and how you became aware, what information you had at that point, and what initial assessment you made – as well as what actions you took and when.

If deadlines slip, this evidence is essential for the "reasonable endeavours" defence (more on that below).



THE ALTERNATIVE ACCOMMODATION HEADACHE

Here's the requirement that's causing landlords the most anxiety: if you can't complete safety work within the deadlines, you must provide suitable alternative accommodation at your expense.

Who must you accommodate?

Not just the named tenant. The requirement extends to anyone who usually lives in the property as a family member. This includes children who regularly stay overnight for at least one night per week.

What counts as "suitable"?

The draft guidance says that suitability will need to be assessed on a case by case basis, taking into account the needs of the household. This could include factors such as:

- Appropriate size for the household
- Accessible if household members have mobility needs

- Reasonably located (near schools, workplaces, support networks)
- Available for however long repairs take

Can tenants refuse?

Yes. Tenants can choose to reject the offer and stay elsewhere at their own arrangement, or remain in their home despite the hazard.

If a tenant stays in an unsafe property, you must provide information about mitigating risks. If there's nothing they can do to stay safe, tell them that clearly.

Tenants can also change their minds and return home at any point during the works.

The practical challenges

Many landlords won't have significant numbers of empty properties ready for immediate temporary lets.

Start planning now.

When a 24-hour deadline kicks in, you may not have time to source suitable accommodation from scratch.



POTENTIAL DEFENCES WHEN DEADLINES SLIP

The Regulations set out three specific circumstances when the strict deadlines stop applying:

1. You decant before the deadline expires

If you provide suitable alternative accommodation before the 24-hour (emergency) or 5-working-day (significant) deadline runs out, those deadlines no longer apply.

You must then complete the work "as soon as reasonably practicable" - still urgent, but not tied to the original timescale.

2. You can't get necessary third-party consent

Some repairs need consent from others - freeholders, managing agents, Building Safety Regulator, planning authorities.

If you've taken all reasonable steps to obtain consent but can't get it within the deadline, the timescale stops.

3. Further investigation shows no hazard or work needed

If additional investigation reveals the hazard doesn't actually exist, or the works you thought were needed aren't actually required, then the deadlines cease to apply.

The "reasonable endeavours" defence

More broadly, landlords may also have a defence if they can prove they used "all reasonable endeavours" to avoid failing to comply with the requirements.

Examples given in the draft guidance include situations where you're:

- unable to gain access,
- unable to source specialist contractors or materials despite making reasonable efforts, or
- unable to secure suitable alternative accommodation despite searching.

Documentation is critical.

Whatever the circumstances, detailed records will be essential to demonstrate what steps you took, when, and why you couldn't meet the deadline.

Further reading

For a detailed guide to the Regulations, including requirements for preventative works and keeping tenants informed, make sure you check out Joe's article on our website. Read it [here](#).

And if you'd like to discuss training on Awaab's Law requirements for your teams, please get in touch.



ASB CASE REVIEWS: ARE YOUR PROCEDURES COMPLIANT?

In July, the Government published updated statutory guidance on the ASB Case Review process (though it didn't appear on the gov.uk website until 17 September).

The changes focus on making the process more victim-centred and accessible.

Five key updates:

1. **Promotion:** You must explain the Case Review process to all victims who make two ASB reports in any six-month period – even if they don't meet the threshold for a review.
2. **Accessibility:** The process must cater for people without internet access or smartphones, or who need support to apply. Offer phone applications and assistance where needed.
3. **Victim inclusion:** Victims should choose their level of involvement, be invited to meetings (in person or virtually), provide written impact statements, and be consulted on action plans before they're finalised.
4. **Single point of contact:** When a case progresses to review, appoint one person as the victim's contact who keeps them updated throughout.
5. **Independent chairs:** The chair should be appropriately trained and independent. For example, someone from the Community Safety Partnership who hasn't been involved in the case, or someone from a neighbouring council.

The guidance also clarifies that ASB victims are entitled to support under the Victims' Code (2023) even if incidents aren't formally recorded as crimes.

For more detail, read Daryl's recent blog post [here](#).



LESSONS FROM WINDOW REPAIRS GONE WRONG

The Housing Ombudsman has published a damning [report](#) on window repair complaints. Reviewing 34 severe maladministration cases, Richard Blakeway's assessment was blunt: these cases make for "grim reading."

Over half involved children. One mother couldn't close windows for three years despite her children being at risk, a child's bedroom window stayed boarded up for four years, and in another case children were unable to do their homework because of excess cold, with repairs unresolved for two years (during which time a burglary took place).

Three categories of failure:

- **Ignoring household circumstances**

Landlords skipped risk assessments when residents flagged safety worries. Children's ages, health problems, and vulnerabilities didn't change how repairs were prioritised.

When residents mention children or health concerns, your approach should shift.

- **Postponing repairs for major works**

The standout problem: landlords delaying urgent fixes because windows were "due for replacement" in programmes years away. One landlord deferred work on unsafe windows until the mid-2030s.

The Ombudsman's message is clear: future major works don't excuse current HHSRS duties. When deferring repairs, assess household impact and arrange temporary solutions.

- **Botched responsive repairs**

Long delays, repeated surveys reaching identical conclusions, weak contractor oversight, and residents chasing constantly for updates. One described getting information as "a full-time job."

Proposed changes to the Decent Homes Standard might have prevented some of the complaints, but the Ombudsman warns "some landlords are not ready" for Awaab's Law.

The key message: don't wait for the new standard to be brought in. HHSRS already requires action when windows create safety risks.



RENTERS' RIGHTS: ROYAL ASSENT IMMINENT

The Renters' Rights Bill is nearly law.

On 14 October, the House of Lords will consider the version approved by the Commons. If they agree, Royal Assent could follow within days - certainly before the end of the year.

For social landlords, your commencement date will come later, pending consultation on the Tenancy Standard. Shelter has pressed the Government to confirm an implementation date, but the timeline remains unclear.



SRA WARNS OF POOR PRACTICE IN DISREPAIR CLAIMS

The Solicitors Regulation Authority has warned about widespread problems in high-volume consumer claims. These including housing disrepair claims.

After a review of 192 firms, nine are under investigation.

Common failings include poor transparency around costs and inadequate due diligence on funding arrangements.

WELCOME TO THE TEAM

We're delighted to welcome two new solicitors to CobbWarren.

Anne Williams joins us with two decades of experience in housing law, including extensive work at Citizens Advice representing tenants. Her perspective on both sides of housing disputes brings valuable insight to our team.

Emma Rudge comes to us with over a decade of corporate law experience and mediation expertise, which she now applies to housing disrepair cases.

Both Anne and Emma will be working alongside Rebecca, Joe, Daryl and the rest of the team to support our social housing clients.



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