

Date Received :15 December
2016**Information Required By :**05 January
2017**Type of Request :**

Freedom Of Information

Requestor Category :

Media

Officer Notes :**Full Description :**

Please can you help with the following Freedom of Information requests:

Please see the note at the bottom as some of the information I am requesting may be classed as personal information.

If possible I would like the data to be in the form of an Excel spreadsheet or a comma- separated values (CSV) file.

1. I would like to request your records of individuals and companies successfully prosecuted for offences under the Housing Act 2004 from 1 January 2015 until the 1 December 2016. This is likely to include: name, business address, rental address, offence, fine, sentence etc.

2. I would like to request your private rented sector enforcement records - where you record improvement notices, emergency remedial notices, hazard awareness notices and prohibition notices - from November 2010 until November 2016 (or whatever date range you have available). This is likely to include: landlord name, business address, rental addresses, notice types, date, hazards, outcome etc. But please exclude the tenant/complainants name(s).

It is important to note that the First Tier Tribunal (FTT) has already ordered the release of the names of individuals convicted under the Housing Act 2004 on the Court Proceedings Database. Please see *Tom Wall v Information Commissioner* (EA/2014/0265) - link below.

[http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i1527/Wall,%20Tom%20EA.2014.0265%20\(13.04.15](http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i1527/Wall,%20Tom%20EA.2014.0265%20(13.04.15)

Even though some of the information I am requesting may be classed as sensitive personal information, the FTT found it could be disclosed under the provisions of the Data Protection (Processing of Sensitive Personal Data) Order 2000. The FTT ruled there was a "substantial public interest" in disclosure as "unfit housing is a matter of major public concern and has a significant impact on the health of tenants".

It also important to note that the Information Commissioner has ruled that Section 40(2) of FOIA (personal information) does not apply to corporations or businesses as only living persons are protected (20 / FS50546586). See link below.

https://ico.org.uk/media/action-weve-taken/decision-notice/2014/1042136/fs_50546586.pdf

Summary Created :- 15 December
2016

If you have any queries about this request please contact 5216 or 5217 alternatively email freedom@nsdc.info

Summary Created :- 15 December
2016

If you have any queries about this request please contact 5216 or 5217 alternatively email freedom@nsdc.info