



## Department for Levelling Up, Housing & Communities

**Rt Hon Michael Gove MP**

*Secretary of State for Levelling up, Housing & Communities*

*Minister for Intergovernmental Relations*

2 Marsham Street

London

SW1P 4DF

Joanne Kearsley  
Senior Coroner for the Coroner Area of Manchester North  
HM Coroner's Court Floors  
2 and 3 Newgate House  
Rochdale  
OL16 1AT

3 October 2023

Dear Joanne,

### **RESPONSE TO PREVENT FUTURE DEATHS REPORT: INQUEST INTO THE DEATH OF LUKE MATTHEW BROOKS**

Thank you for your letter and investigative report (dated 17 August 2023) into the sad death of Luke Matthew Brooks, which was made in accordance with Paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. In providing this response to the Report, we offer our sincere condolences to Mr Brooks' family.

On behalf of the Department for Levelling Up, Housing and Communities ("DLUHC") I now want to outline our response to the Regulation 28 Report to Prevent Future Deaths concerning the death of Mr Brooks ("the Report"), which identified matters of concern and recommended that action be taken to prevent future deaths.

The Report followed the investigation and the inquest into the death of Mr Brooks which commenced on 16 February 2023 and concluded on 10 August 2023. The conclusion of the inquest was that Mr Brooks died as a result of acute respiratory distress syndrome due to Aspergillus Pneumonia. Whilst the inquest considered whether the Aspergillus (fungi/mould) was linked to the property, the evidence did not support this. The source of the Aspergillus could not be determined. It was, however, noted that Mr Brooks' family had numerous concerns with the condition of the property over several years, which was cold and damp.

The matters of concern identified in the Report are as follows:

1. There is no register of private landlords available in England. The court heard that this was out of step with other countries within the UK who had a national register. The lack of this meant that local authorities could be hampered in not knowing up-to-date address/contact details when they were made aware of concerns with a privately rented property. This is particularly important when the issue is one which is potentially life threatening, such as asbestos in a property, dangerous items such as inappropriate cord blinds in a property with children or excessive damp.

2. North West Ambulance Service (“NWAS”) had a local policy of advising people who described symptoms of chest pain (not immediate life threatening) to not attend A&E on their own. Whilst NWAS have now revised this policy to remove this, it is not known if this could be set out in the local policies of other ambulance services.

This letter will respond to the first matter of concern. A separate response from the Department of Health and Social Care will respond to the second.

**First matter of concern: There is no register of private landlords available in England.**

We are taking action to address this. The Renters (Reform) Bill was introduced to parliament on 17 May 2023 and includes provision for a new private rented sector database that will support the new Privately Rented Property Portal digital service. Subject to parliamentary approval, all private residential landlords (letting property in England via an assured tenancy under the Housing Act 1988 or a regulated tenancy under the Rent Act 1977) will be legally required to register with the Property Portal, and to provide certain information relating to the properties they let.

The service will help landlords understand their legal obligations and give tenants the information they need to make informed choices before entering into a tenancy agreement.

The portal will also help landlords understand their legal responsibilities when letting property and provide renters with a new information source to see relevant information about a landlord and property. It will also allow local housing authorities to identify poor quality and non-compliant properties and who owns them, and take prompt action where appropriate.

**Other Government actions of relevance**

While you found that the condition of Mr Brooks’ property did not contribute to his death, I wanted to outline action that DLUHC is taking to tackle damp and mould and improve standards and property conditions in the private rented sector.

This September I, alongside the Secretary of State for Health and Social Care, published our comprehensive guidance on understanding and addressing the health risks of damp and mould in the home, which is available to view at: <https://www.gov.uk/government/publications/damp-and-mould-understanding-and-addressing-the-health-risks-for-rented-housing-providers>.

This guidance was written in response to the tragic death of two-year-old Awaab Ishak in 2020, due to mould in his family home. It provides social and private sector landlords with a thorough understanding of their legal responsibilities, and of the serious health risks that damp and mould pose. The guidance makes it clear that tenants should not be blamed for damp and mould. It is the responsibility of landlords to identify and address the underlying cause of the problem, such as structural issues or inadequate ventilation.

In November 2022, I also wrote to Local Authority Chief Executives and council leaders setting out my expectation that they will take action to resolve poor housing conditions in their area and directing them to provide information on current housing conditions to the department. A summary of

responses has been published at: <https://www.gov.uk/government/publications/damp-and-mould-in-the-private-rented-sector>.

My department will continue this work with Local Authorities, and I will be making £10m available to pilot measures to improve enforcement of damp and mould. This project is being run in conjunction with the Department of Health and Social Care, and the Department for Work and Pensions, and through it we hope to learn what approaches are most effective and the wider impacts of increased enforcement.

I am committed to going further to improve property standards in the private rented sector by introducing the Decent Homes Standard to the sector for the first time and intend to do so at the earliest available legislative opportunity. Work is currently underway to review the Decent Homes Standard to ensure it is up to date and fit for purpose.

A core element of decency is assessed by the Housing Health and Safety Rating System (HHSRS), the tool used to assess hazards in rented homes. Following review of the HHSRS, our summary report on the outcomes and next steps is available to view at:

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-hhsrs-review-outcomes-and-next-steps>.

An updated HHSRS that is accessible to landlords and tenants and efficient for local councils to use forms a vital part of our reforms to both the social and private rented sectors. New regulations to bring the findings of the review into force will be introduced after the conclusion of our review of the Decent Homes Standard.

The Government is committed to taking action to improve standards within the private rented sector. Thank you, once again, for providing your report.

I am copying my response to the Secretary of State for Health and Social Care.

**Yours ever,**



**RT HON MICHAEL GOVE MP**

*Secretary of State for Levelling up, Housing and Communities  
Minister for Intergovernmental Relations*