What is the Homes (Fitness for Human Habitation) Act 2018 (HFA 2018)?

Definition and Explanation

The **Homes (Fitness for Human Habitation) Act 2018** (HFA 2018) amends the **Landlord and Tenant Act 1985** to require that all **rented residential properties** in England are **fit for human habitation** at the beginning of the tenancy and remain so throughout. This Act provides **tenants** with a direct and more accessible legal avenue to hold **landlords** accountable for serious defects or disrepair that affect their health and safety, making it easier than relying solely on local authority action.

A property is deemed *unfit* if, for example, there is a risk of harm due to a problem with:

- **Repair:** The structure or exterior of the property is in bad repair.
- **Stability:** The building is unstable.
- **Freedom from damp:** Significant **damp and mould** issues, which often relate directly to poor **ventilation**, condensation, or water ingress.
- **Internal arrangement:** The layout or structure is dangerous.
- **Natural lighting:** Insufficient light.
- **Ventilation:** Inadequate means of **ventilation**.
- **Water supply:** Unsafe or inadequate supply of hot and cold water.
- **Drainage and sanitary conveniences:** Unsafe or inadequate drainage or WCs.
- **Facilities for preparation and cooking of food and for the disposal of wastewater.**
- **Hazard from fire.**
- **Excess cold or excess heat.**

Practical Application and Relevance to Ventilation:

In the UK residential retrofit and home renovation sectors, the Act directly influences the standard

of work required, especially in the **Private Rented Sector (PRS)**.

If a landlord undertakes a retrofit (e.g., external wall insulation, new windows), they must ensure that the work does not inadvertently create conditions that render the home *unfit*, such as blocking up existing **trickle vents** or installing airtight insulation without compensating for the necessary air exchange. A common claim under the Act relates to **Mould and Damp**, which is frequently caused by **inadequate ventilation** and high humidity (interstitial or surface condensation).

For a technical building consultant, this means that any proposed work, particularly those affecting air tightness, must be accompanied by a **ventilation strategy** that meets or exceeds the requirements of **Approved Document F (Ventilation)** of the Building Regulations. Failure to provide adequate ventilation that controls condensation could lead to a breach of the HFA 2018, resulting in legal action against the landlord and potentially necessitating remedial work.

Citations:

- Legislation.gov.uk: Homes (Fitness for Human Habitation) Act 2018
- Gov.uk Guidance: Fitness for Human Habitation: Guide for Tenants

Essential Related Terms for Ventilation in UK Residential Buildings

1. Approved Document F (AD F)

This is the statutory guidance supporting **Part F of the Building Regulations** in England. It sets out the minimum requirements for the **ventilation** of new and existing dwellings to ensure the health of the occupants by providing adequate fresh air and controlling pollutants. For extensions and major renovations, compliance with the current edition of **AD F** is mandatory, often requiring the installation of new or improved ventilation systems such as **Mechanical Extract Ventilation (MEV)** or **Continuous Mechanical Ventilation with Heat Recovery (MVHR)**.

2. Condensation and Mould

Condensation occurs when warm, moist air meets a cold surface, causing water vapour to turn into liquid water. This is the primary driver of **surface mould** growth in UK homes, which can trigger respiratory problems. In a technical context, addressing mould often involves a **fabric-first approach** to improve thermal performance (reducing cold surfaces) combined with a **best-practice ventilation strategy** to control humidity, as mandated by the *Homes (Fitness for Human Habitation) Act 2018*.

3. Mechanical Ventilation with Heat Recovery (MVHR)

A whole-house balanced ventilation system that continuously extracts stale, moist air from ‘wet’ rooms (kitchen, bathrooms) and supplies fresh, filtered air to ‘habitable’ rooms (bedrooms, living rooms). A **heat exchanger** within the unit transfers heat from the outgoing stale air to the incoming fresh air, recovering up to 90% of the heat that would otherwise be lost. It is considered a **best practice ventilation strategy** for highly **airtight** retrofit or new-build projects.

4. Air Permeability (Air Tightness)

A measure of how much air leaks into or out of a dwelling through uncontrolled gaps in the fabric. It is measured in m^3/(h.m^2) @ 50 Pa. As UK homes undergo deep **retrofit** (e.g., insulation, new windows), the **air permeability** decreases significantly. While improving thermal efficiency, this necessitates a more robust, often mechanical, **ventilation strategy** (AD F) to ensure sufficient air quality and prevent problems like **condensation and mould**.

5. Hazardous Housing Health and Safety Rating System (HHSRS)

The official risk-assessment tool used by **Local Authority Environmental Health Officers** in England and Wales to assess potential hazards in a home. Inadequate **ventilation** and the resulting **damp and mould** are often assessed under specific **HHSRS** categories (e.g., 'Damp and Mould Growth,' 'Excess Cold'). The presence of a Category 1 Hazard under **HHSRS** can provide grounds for tenants to act under the **Homes (Fitness for Human Habitation) Act 2018**.