

<p>Title: The Housing Administration (England and Wales) Rules 2018 No. 719</p> <p>PIR No: n/a</p> <p>Original IA/RPC No: n/a</p> <p>Lead department or agency: DLUHC</p> <p>Other departments or agencies:</p> <p>Contact for enquiries: shayne.coulson@levellingup.gov.uk</p>	Post Implementation Review
	Date: 04/07/2023
	Type of regulation: Domestic
	Type of review: Statutory
	Date measure came into force: 05/07/2018
	Recommendation: Keep
RPC Opinion: n/a	

1. What were the policy objectives of the measure?

The special administration regime introduced by the Housing and Planning Act 2016 initially only applied to PRPs that are companies. The regime is intended to protect tenants and the financial reputation of the sector in the event of the financial failure of a large and/or complex private registered providers (PRP) of social housing. The Rules set out the detailed procedures for the conduct of housing administration in relation to PRPs that are registered societies and charitable incorporated organisations (CIOs).

2. What evidence has informed the PIR?

As anticipated, it has not been necessary to use the special administration regime in the last five years. However, the growth in the size and complexity of PRPs means there remains a continued need for the protection afforded by the regime. Borrowing by PRPs is now around £90 billion (compared to £70 billion in 2017). The Regulator of Social Housing's *Sector Risk Profile 2022* sets out the challenges of needing to invest in new and existing stock at a time of wider economic pressures. The Regulator was fully supportive of the introduction of special housing administration so, if it was ever needed, it would better enable it to deliver on its fundamental objectives. It continues to support the need for the regime.

3. To what extent have the policy objectives been achieved?

The policy objective has been achieved – the rules have continued to provide a clear legislative framework for the application of the housing administration regime to PRPs that are CIOs and registered societies. Although the regime (and subsequently the rules) has not been used, it is important that this legislative framework continues to exist to protect tenants and the financial reputation of the sector should it be needed.

Sign-off for Post Implementation Review: **Baroness Scott**

I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed: **Baroness Jane Scott**

Date: 28/06/2023

Further information sheet

Please provide additional evidence in subsequent sheets, as required.

4. What were the original assumptions?

Original assumptions were that the housing administration provisions would be used very infrequently, and that impact on businesses, charities or voluntary bodies would be low.

5. Were there any unintended consequences?

No unintended consequences have been identified as part of the review.

6. Has the evidence identified any opportunities for reducing the burden on business?

The impact on businesses identified at the outset was very low – there has been no evidence to establish this burden as higher than anticipated. Businesses that are creditors benefit from the greater potential for the administration to result in a provider being rescued. With the administration regime in place, there is a reduced risk that an insolvency would impact on lender confidence and lead to an increased cost of private finance for the sector as a whole.

7. How does the UK approach compare with the implementation of similar measures internationally, including how EU member states implemented EU requirements that are comparable or now form part of retained EU law, or how other countries have implemented international agreements?

This is a bespoke variation on the UK insolvency legislation to reflect different objectives for administration that impacts on PRPs.