



Consultation Response

Improving the energy performance of privately
rented homes
(2025 update)

Proficiency
Professionals in efficiency

Proficiency is the national professional body for energy assessors in the UK

We are responding to the consultation as a professional body on behalf of our members and the wider energy assessor community.

Document prepared by:

Ian Sturt, Chairman
Proficiency
20 St Columba Close
Kingsteignton
Newton Abbot
Devon
TQ12 3RL

E: ian.sturt@proficiency.services
P: 01626 365581

Document date: 30th April 2025

Summary of responses

Question 1	5
Partially agree	5
Question 2	5
Partially agree	5
Question 3	5
Question 4	6
Question 5	6
Strongly disagree	6
Question 6	7
Question 7	8
Agree in principle	8
Question 8	8
Partially agree	8
Question 9	9
Strongly agree	9
Question 10	9
Strongly disagree	10
Question 11	10
Unnecessary (See response to question 5)	10
Question 12	10
Strongly agree	10
Question 13	10
Question 14	11
Question 15	13
Question 16	13
Question 17	13

Question 1

Do you agree with government's preferred position of using new alternative Energy Performance Certificate (EPC) metrics following EPC reform as the basis for higher Minimum Energy Efficiency Standards (MEES) for privately rented homes?

Partially agree

We strongly believe that a one-size-fits-all approach has not been sufficiently successful, and there is no reason to believe that would change. There are different drivers for building owners / occupiers depending upon circumstances, and there are technical and legislative barriers to upgrading some types of property, or properties in certain locations. Providing a set of metrics is long overdue.

However, it is important to maintain a level of simplicity to provide clarity. Whilst fabric and smart readiness metrics may be relevant to include on an EPC, they should not be the headline ones. These secondary metrics can help inform the decision on how to proceed with an upgrade, but the measures directly relevant to the MEES we believe to be cost, carbon and total energy.

Question 2

Government would welcome views on options for setting future MEES against a combination of new EPC metrics. Do you agree with government's preferred approach of having a requirement to meet a primary standard set against the fabric performance metric and then a secondary standard set against either the smart readiness metric or heating system metric, with landlord discretion on which secondary metric their property meets?

Partially agree

The principle of a blended approach to MEES compliance we strongly agree with. However, we do not agree that the metrics should be restricted in this manner. Specifying fabric performance as the primary standard discriminates against owners of hard-to-treat properties. Specifying the heating system metric discriminates against owners of properties with restricted choices of suitable or permitted systems. Smart readiness we consider to be too much of an evolving target, and too dependent how other entities (such as energy suppliers) develop their systems.

Our view is that the EPC should display as primary metrics cost, carbon and total energy. The MEES should then be set on the basis that all 3 metrics must reach a minimum of (say) C, with at least one of them reaching a minimum of (say) B. The building owner should have the freedom to decide which of the metrics is most appropriate for them and their property and to decide how they will achieve compliance accordingly.

Note – This will be particularly critical if and when the non-domestic MEES is updated as use factors in non-domestic buildings are much more variable.

Question 3

What are your views on the alternative approaches of:

Alternative 1: A requirement to meet a standard set against dual metrics of equal weighting. The standard would be set against dual metrics including two of the following: fabric performance, heating system and smart readiness.

Alternative 2: A requirement to meet an overarching standard set against all three metrics of fabric performance, heating system, and smart readiness, either through improvements across all standards or through landlords concentrating improvements against one or two standards.

As above, we do not consider these to be the correct metrics to use. They are overreach in terms of forcing building owners down specific routes, which may not be the most appropriate. The purpose of improving fabric, heating and smart readiness is to reduce cost, carbon and total energy use. Therefore, it is far more sensible to set the MEES against cost, carbon and total energy and to use the fabric, heating and smart readiness metrics as indicators of how best to achieve the standard.

Question 4

Do you have any alternative suggestions for how government could utilise new EPC metrics as the basis for MEES, such as a single metric approach (e.g. fabric or cost based?) Please provide a rationale with your answer.

As above, the primary metrics should be cost, carbon and total energy use. Our suggestion would be to require a realistic minimum standard for all three and a higher (more challenging) standard for one (or two) and permit the building owner to select the ones most appropriate to the limitations of the building. Alternatively, the MEES could be set against an average of the three primary metrics, but we would see that as offering much less clarity.

We are very opposed to setting the MEES against what we consider to be secondary metrics, i.e. fabric, heating and smart readiness. Those we consider to be “flavour of the month” ways to approach an overall objective and not actually the way to measure progress against that objective.

Question 5

Do you agree with government's proposal to increase the maximum required investment for Private Rented Sector (PRS) MEES to £15,000 per property and for landlords to be able to register an exemption if expenditure would take them over this figure? If not, please set out whether you consider a cap should apply and how; and if so, what level you consider the cap should be set at and why (whether this is the 2020 proposal of £10,000 or another figure). Please explain your answer.

Strongly disagree

As with our response on metrics, we strongly believe that a one-size-fits-all approach has not been sufficiently successful, and there is no reason to believe that would change. A blanket cost cap is a completely inadequate approach, akin to charging the same council tax for a 1-bed flat as for a 10-bed mansion.

There is no justification whatsoever for setting the same cost cap for a property that needs one more point to achieve compliance, and one that needs to move up four entire bands to comply. Equally, applying the same cost cap to an entry level flat in a depressed area with an earning potential of (say) £3,000 a year and an executive home with an earning potential of (say) £30,000 a year is simply unreasonable.

Our view is that a cost cap should be calculated based on the property type, size and how far away from MEES compliance it is. That would be a much fairer system and would reduce

the instances of low-cost housing being taken out of the rental market. We also believe that registering a cost-cap exemption should limit the maximum rental income from the property. Taking the example above, let us assume that it is reasonable to expect a landlord to invest a full year's income to achieve compliance, and that is where the cost cap has been set for these two properties.

For the entry level flat, the owner registers an exemption based on the only possible measures costing more than the £3,000 cost cap, the EPC register is notified, and the EPC is flagged as only allowing the property to be rented for a maximum of £250 per calendar month until the property is upgraded, and a new EPC replaces the current one. (Linking the registers should not be overly challenging).

Similarly, for the executive home the owner registers an exemption based on the only possible measures costing more than the £30,000 cost cap, the EPC register is notified, and the EPC is flagged as only allowing the property to be rented for a maximum of £2,500 per calendar month until the property is upgraded, and a new EPC replaces the current one.

That is an inherently fair system.

The consultation document suggests that "on average, landlords would be required to invest between £6,100 and £6,800 in order for their rental property to reach the higher standard". However, for the landlord providing the above low-cost housing to the market, that is over 2 years total income. For the landlord letting the executive house, the cost is recovered in less than 3 months.

There is no inherent fairness in a system which imposes a trivial barrier on landlords to the wealthy, but an insurmountable one on landlords providing essential low-cost housing to the affordable homes rental market. It encourages building owners to take out of the rental market the very properties that the low-cost housing shortage most needs to stay accessible to people on low incomes.

It is also necessary to address the way the all-or-nothing approach that appears to be applied to exemptions. If the recommendations shown on the EPC to achieve compliance are too expensive an exemption is registered. This could be avoided in many cases if the EPC register was upgraded by inclusion of the ability to test other options. Essentially, we are talking about reinstatement of the EPC Advisor tool that was available for several years and then withdrawn rather than being updated when there was a version change to RdSAP.

At the time the tool was under used because it was too early for the market to have embraced the significance of EPCs. Now they are firmly established, reinstating the ability to test options based on the lodged EPC is arguably one of the lowest cost, highest return options available to Government at present.

In many cases, it would be possible where the first choice EPC recommendation is not feasible or too expensive, to use a different measure to achieve (or get much closer to) compliance. This would avoid the need for many of the exemptions which occur simply through a lack of an obvious functionality that should exist on the EPC register.

Question 6

Should government extend the exemption period for the cost cap to ten years? If not, how long do you think the cost cap exemption should last? Please explain your answer.

The cost cap exemption should only last until the expiry date of the EPC that is being used to claim the exemption. If an EPC is nearing the end of its validity, the landlord will be able to register a short-lasting exemption or obtain a new EPC. The new EPC will either provide them access to a longer period of exemption, or crucially could identify a way to achieve compliance that does not exceed the cost cap.

We also believe that the concept of a fixed validity period for EPCs is fatally flawed. Whilst we do not believe there is a need to shorten the maximum validity of an EPC from 10 years, we strongly believe that an EPC should become invalid for use for any of the statutory purposes, if any significant change* has been made to the property.

There appears to be a naive belief that there is a linear relationship between EPC age and EPC accuracy. The information on an EPC becomes less current, and the values shown less accurate over time and a backstop validity period (of 10 years currently) has merit. However, an EPC immediately becomes inaccurate as soon as a significant alteration is made to the property. Alteration and not EPC age should be the primary factor that determines whether an EPC is

An altered property would need a new EPC for sale or rental and as the cost cap exemption should be linked to the EPC, supersession of the EPC will end the cost cap exemption. This introduces a highly significant incentive for building owners making changes, to ensure that the changes also raise the rating to the minimum standard.

** For domestic EPCs defining a significant change is relatively simple. It is anything that changes on the description of the property's energy efficiency related characteristics (with the exception of the percentage of low energy lighting which is largely an occupier-controlled variable).*

Question 7

Do you agree with government's preferred implementation timeline to require 'new tenancies' to meet the higher standard from 2028 and 'all tenancies' to meet the higher standard by 2030? If not, do you have alternative suggestions?

Agree in principle

Deliverability of the tools needed to the job must be accounted for when considering a suitable timeline. A repeat of the RdSAP10 fiasco with the HEM would make this proposed timeline unachievable. We also believe that reinstatement of the EPC Advisor tool (or equivalent) to make the EPC a useful tool rather than a static marker, is essential to achieving effective implementation of measures. A failure now to specify that tool as an essential component of development of the HEM would be undermining the entire process and delaying many of the target outcomes.

Question 8

Do you agree with government's proposal that, as an EPC reform transition measure, landlords should be able to demonstrate their properties are compliant with the existing standard of EPC E using their past EPC?

Partially agree

It would be a highly questionable approach and open to legal challenge to retrospectively reduce the value of existing EPCs. You cannot we believe sell something (like an EPC) with

a validity of 10 years and then subsequently say but if you try to use it for what you bought it for it is invalid.

However, it is perfectly legitimate in our opinion to clarify that an EPC is an asset value for the property, as seen on the date of survey. If the property has been altered from what was assessed, it is no longer legitimate to utilise an EPC which now misrepresents the property.

Applying this logic to the transition, we believe:

An existing tenancy with an existing EPC of E or above is unaffected until the standards increase. When the standards increase, if the existing EPC still meets or exceeds to standard, it remains compliant.

Currently we believe that when an EPC expires during a tenancy there is no requirement to renew the EPC until the next trigger point (a property related transaction is initiated). There is scope for the Regulations to require the renewal of an EPC when it expires during an ongoing tenancy. That would bring in assessment against the new metrics without there needing to be a transactional trigger and we would support this approach.

A new tenancy with an existing EPC should be compliant if the existing EPC meets the MEES at that point **AND** the building being offered is unaltered from the building at the date of the EPC assessment. If the building has been altered (as previously described), the EPC although still in date will not be valid for use as it has become an incorrect description of the asset being offered.

Question 9

Do you agree properties that have an EPC rating of C against the EER on EPCs before 2026 should be recognised as compliant with the future standard until their EPC expires or is replaced?

Strongly agree

As above, you cannot sell something (like an EPC) with a validity of 10 years and then subsequently say but if you try to use it for what you bought it for it is invalid.

However, it is essential to ensure that the regulations are changed to clarify that the EPC is an asset rating for the building as seen on the day of survey and cannot be used for a property that has subsequently been altered.

If the property has been significantly altered since the EPC was produced, a new EPC should be required to demonstrate compliance with the increased standard.

Question 10

Do you agree with government's proposal to require landlords to commission a new EPC before taking action to comply with higher MEES?

10.1. Should the cost of this new EPC be included within the cost cap?

10.2. Should landlords still be required to commission post-improvement EPCs? If yes, should the cost of the post-improvement EPC also be included within the cost cap?

Strongly disagree

Once again, you cannot sell something (like an EPC) with a validity of 10 years and then subsequently say but if you try to use it for what you bought it for it is invalid. Preventing a landlord from improving their property unless they obtain a new EPC, even though they have an existing one and know what needs to be done to improve the property is in our opinion entirely unjustifiable.

However, it must be clear in the PRS regulations and guidance that that from [implementation date] the metrics on EPCs change(d). Should a landlord undertake improvements based on an EPC using the original metrics, it should be clear that there is a significant risk that the new EPC they will be required to obtain after the improvements to prove compliance will not have the expected rating(s). They must therefore be advised to obtain a new EPC using the new metrics if there is any doubt as to whether the intended measures will be sufficient to meet the MEES against the new metrics.

Question 11

Should government develop an affordability exemption? If yes, what eligibility criteria would be the most appropriate for an affordability exemption? Please indicate which, if any, of the proposed approaches you support or otherwise provide alternative suggestions.

Unnecessary (See response to question 5)

This would be dealing with the effects of an easily avoidable problem. It makes far more sense to eliminate the problem at source. If you essentially “means test” the cost cap by matching the scale of the cost cap to the scale of the property, and the scale of the return from the upgrade, this becomes totally unnecessary.

Even if there are still instances where affordability is a show-stopping issue, an affordability exemption is not a positive approach. These should be the properties that associated policies are targeting support funding at. Bridging the affordability gap is better than walking away from the need to upgrade the property.

Question 12

Should government apply the PRS MEES Regulations to short-term lets? Please explain your answer.

Strongly agree

Energy waste is energy waste and inefficient properties are inefficient properties. Whether that energy is wasted by the same people in the inefficient property over a period or a succession of different people over the period, it is still energy waste and it is still equally damaging.

Question 13

What actions could government take, including changes to the law to encourage or require smart meters in properties undergoing efficiency upgrades, to increase the number of smart meters installed in the PRS? Please provide your rationale and evidence for any suggestions for actions you have.

- a) Consider requiring smart meters in association with certain types of measures as industry standards for installers of those technologies. For example, ASHPs and storage heaters can only be installed in properties with a smart meter. Solar PV must be connected to a smart meter. However, requiring a smart meter to install insulation for example would not we believe be appropriate.
- b) Force energy companies to up their game. They are often unhelpful and largely untrusted.
 - a. Energy bills should be short documents that clearly show on page 1 what you have used and how much it cost.
 - b. The same page should also have clear charts showing your monthly consumption with a previous year comparison.
 - c. If a smart meter is present, there should also on page 1 be charts showing your average consumption pattern across a 7-day week and your typical daily use profile.

Put the above on bills and people will start to see a value smart meters. The pages of text that nobody ever reads and just make it harder to find what is actually useful need to be relegated to after the useful information.

- d. Outlaw the practice of not showing meter readings on bills when meters are remotely read. It is only by being able to compare actual readings to what suppliers indicate they think they are that we can trust them. It is also useful when date feeds go down for us to get billing problems sorted out. (Admittedly a much bigger problem in non-domestic buildings).
- e. Outlaw the practice of not showing the meter serial number on bills and only showing MPRs / MPANs. When billing goes awry (often after meter changes are not properly recorded) we need to be able to see what meter the supplier thinks is on site. (Again, a much bigger problem in non-domestic buildings).

Question 14

Do you think the current MEES exemptions available to landlords are suitable?

All relevant improvements made

In principle an appropriate exemption, however the problem with it is the lack of measure flexibility. With the static EPC you only have to consider the recommendations shown. With an EPC Advisor Tool (or equivalent) reinstated on the EPC register, this would make a massive difference as it would open up a hierarchy of measures. For example:

Example 1

The EPC recommends double glazing and you are not permitted to install it. Result - Exemption

The EPC Advisor tool recommends double glazing and you are not permitted to install it. Suppress double glazing and you get a recommendation for secondary glazing which you are permitted to install. Result - Improvement not exemption.

Example 2

The EPC recommends an air source heat pump and the cost exceeds the cost cap. Result - Exemption

The EPC Advisor tool recommends an air source heat pump (ASHP) and the cost exceeds the cost cap. Suppress the ASHP and you get a recommendation for high heat retention storage heaters (HHRSH). That still exceeds the cost cap. Suppress the HHRSH and you get a recommendation for modern fanned storage heaters which is within the cost cap. Result - Improvement not exemption.

Note – These are illustrative only. This specific hierarchy may not apply in RdSAP10 but we believe the principle it illustrates still will.

High cost

As previously illustrated, we believe this is completely inappropriate on a one size fits all basis. It is essential to match the scale of the cost cap to the scale of the property, and the scale of the return from the upgrade.

Wall insulation

Appears an appropriate exemption

Third-party consent

Probably an essential exemption but arguably highly susceptible to abuse. A high bar for evidence is needed to ensure there is no manipulation.

Property devaluation

This exemption feels very subjective and again is open to manipulation if the measure could be appropriate if done more sensitively. It is also another example of where the EPC Advisor Tool (or equivalent) would enable consideration of a secondary range of recommendations if the first choice one is not appropriate for the property. It also we believe supports our argument for basing the MEES on cost, carbon and total energy with flexibility on which is the most appropriate to the property.

Placing too much emphasis on fabric in achieving compliance is likely to push more properties towards this exemption. It is less likely to apply if you can offset higher energy use due to fabric limitations with using a lower or zero carbon energy.

14.1. Are there other circumstances, not covered by the current MEES exemptions regime, where you think government should consider making exemptions for?

On the contrary, we believe the government should be much smarter.

- a) We need a blended approach to compliance using the three primary metrics rather than a one size fits all approach.
- b) Government should be upgrading the register to make it an EPC based tool that will find alternative ways to comply if certain measures are not appropriate.

With these two improvements, the need for exemptions will decrease considerably. Finding alternative ways to make improvements is far better for moving towards net zero than giving people an opt out would be.

Question 15

Do you agree with government's preferred position to keep a potential requirement on lettings agents and online property platforms under review whilst the PRS Database is being developed for properties in England?

Partially agree

Ideally an EPC should be obtained before a property is marketed, but there are reasons why it may not be practical such as access before a tenant leaves, works needing to be done that would impact on the EPC rating between gaining possession and commencing a new tenancy, and availability of an assessor.

However, we very strongly believe that there is a massive hole in the application of regulations that needs to be plugged. For some inexplicable reason, government has failed to make the link between an EPC being a legal document describing a property and giving it an asset value, and the Consumer Rights Act which requires what is provided to be the same as what is described.

If what is listed on the EPC, and in particular on the list of the property's energy efficiency related features, does not match what is being offered, that we believe needs to be treated as a breach of the Consumer Rights Act. What this should mean is that lettings agents (and estate agents) and online property platforms must ensure that property particulars and the list of energy efficiency related features on the EPC match, or they must not use that EPC to market that property.

Question 16

Do you have any new evidence to submit regarding the topics as summarised in Chapter 2 of this consultation? Please specify which topic you are providing new evidence for.

No new evidence to submit at this point

Question 17

Is there any additional information or evidence you would like to provide on either the effectiveness of the existing PRS regulations 2015 and guidance, or interactions with other policies?

It is essential to have an effective PRS (MEES requirement) for non-domestic properties as well. However, there are many more issues around very different use patterns in essentially similar non-domestic buildings. What may be beneficial for one occupier may not be for another. Non-domestic MEES is a more complex challenge, but one that needs to be addressed.

There are also significant issues with the suitability of the Simplified Building Energy Model (SBEM) software and the competence of the organisation responsible for it. Investment is needed in a more up-to-date approach to software development and benchmarking for non-domestic MEES to become more effective.

There is also a need for a MEES equivalent for Display Energy Certificates (DECs). Currently there is a responsibility to obtain and display a DEC, but no responsibility to improve the rating. That urgently needs to be addressed. We submit that again due to differences in the way non-domestic buildings are used, it is not as simple as setting a

minimum rating to be achieved. It is however as simple as requiring a year-on-year improvement in rating or requiring other remedial actions.

Linking both of the above offers further scope for effective non-domestic MEES in the private rented sector. There is the potential to set a minimum standard for buildings of a certain type. (It should not be the same across all building types as the software does not treat all building types equally). Where a building can be upgraded to reach compliance in a cost-effective manner it should be. Where it cannot be, then instead of an exemption a DEC must be obtained, and the DEC must improve year-on-year or other steps be taken to compensate.

We would be pleased to engage further in identifying effective ways to make non-domestic MEES work, but we would also point out that a crucial and long overdue step for DEC is to update the carbon intensities to match those used in the non-domestic EPC. (They are 18 years out of date). The DEC benchmarks are equally out of date and need to be replaced with benchmarks that are an average of the DEC ratings for the building category over the most recent (we would suggest three) years.

The consistent theme is that MEES is not going to deliver effectively unless there is adequate investment in EPC and DEC software, and the task is given to progressive software developers rather than ones who will simply prolong the life of out of date software.

Document Ends