

Preparing for the Renters Rights Bill 2025

Expected to become law before Summer 2025

ABOUT THE RENTERS RIGHTS BILL

The objective of the bill (per the briefing notes) is to

“Ensure private renters not only have access to a secure and decent home but that they can exercise their rights to challenge poor treatment and bad practice. Landlords should retain the confidence to repossess their properties where they have good reason to but with suitable safeguards for tenants who may lose their home.”

What does it change?

A nonexclusive list:

- No more fixed-term tenancies
- Abolishes section 21 no-fault evictions
- New & changed grounds for possession
- New rules for increasing rent
- New rules for tenancy agreements
- New Decent Homes standard and introduction of Awaab's law
- New rules on discrimination and pets
- New enforcement powers and fines
- Stronger Rent Repayment Order penalties
- New landlord's Redress Schemew
- New landlords' portal

NO MORE FIXED TERMS(1)

On the commencement date, all existing tenancies will become periodic (month by month). This will give tenants more flexibility to end tenancies where they need to, including where landlords are failing to meet their obligations, or properties are poor quality. Tenants can give a tenant's Notice to Quit after 2 months (the end date must align with a period of the tenancy) – landlords will be forced to let them go.

In reality this may not be a big problem in view of the shortage of homes at present

SECTION 21 ABOLISHED

Under the new rules, a landlord could require possession under grounds 1 or 1A at any time after one year. This could be problematic for many tenants, e.g. families with children at local schools. If s21 is abolished, will this reverse the process and signal the end of the PRS?

- Probably not. The government have indicated that they do not want the PRS to shrink.
- It is all a question of confidence

We are confident, that the loss of s21 does not in practice, mean loss of their property as happened (effectively) under the old Rent Act

Serving notice: it is important that no mistakes are made, so maybe recommend to landlords that they use specialist solicitor firms

NB Note that agents are not authorised to 'conduct litigation,' so should not do this work themselves.

NEW RULES ON EVICTION OF TENANTS

As now, landlords can only recover vacant possession if Tenants vacate voluntarily or with a bailiff/HCEO acting under a court order for possession.

SOME NEW/CHANGED GROUNDS FOR POSSESSION

Ground 1 Needed by landlord or family to live in.

Ground 1A Landlord intends to sell. Some concern about how landlords could prove their intention is real. The notice period for these grounds is now four months and they cannot be used during the 1st year of the tenancy.

Ground 4A The property is an HMO let to full time students and the property is required to re-let to new students. The 'relevant date' must be between 1 June and 30 September. This has been criticised as a lot of student lets are not HMOs and not all academic years run from October. So, this could be amended.

NEW RULES FOR INCREASING RENT

The property will also need to be advertised at the correct market rent. Something agents will be better qualified to assess than landlords. NB Bidding wars outlawed by the act. So far as rent in advance is concerned, this is permitted as currently drafted – But the bill could be amended to prohibit it. It will only be possible to increase rent annually using the s13 statutory notice procedure (rent review clauses will become invalid). The notice period will go up to two months. The new rent can be challenged by tenants referring it to the First Tier Tribunal (FTT) for review on the basis that it is not a 'market rent.'

Awaab Ishak is the toddler who died due to damp and mildew (fungus) in his social home 'Awaab's law' requires landlords to deal with serious hazards and make homes safe within strict timeframes. Agents will need to assist landlords to arrange any necessary repair and other works to comply with the new rules. Tenants will be able to complain to the new Redress Scheme.

NEW RULES ON DISCRIMINATION AND PETS

The RRB will prohibit discrimination against applicants on benefit and/or who have children. So, adverts should NEVER state 'No DSS applications', or 'No Children'. Unless the property is genuinely unsuitable for children (keep evidence of this) The presumption is that pets are allowed unless there is a reasonable refusal for their acceptance.

NEW ENFORCEMENT POWERS AND FINES

- S104:** Creates a duty on Local Housing Authorities to enforce landlord legislation in its area.
- S108:** Provides SoS with the power to appoint a lead enforcement agency – which will have the duty to oversee enforcement and provide information and advice to LAs. To “help local authorities enforce the measures in a consistent way”. Lead enforcement agency can also take enforcement action itself. E.g. if LA lacks capacity.
- S111:** LA's have enhanced powers to require information, enter business premises without a warrant & seize document. Obstruction is an offence.

DEALING WITH TENANT RENT ARREARS

These should be dealt with differently now s21 is no longer available. The s8 rent arrears proceedings 'work' but Mandatory ground changed to 3 months/13 weeks arrears, and 4 months' notice. Arrears will be higher before proceedings can commence.

THE PRS DATABASE / NEW LANDLORD PORTAL

- S62:** Provide for the independent investigation and determination of complaints by prospective, current, and former tenants of residential landlords, or their representatives.
 - Scheme expected to be run by the current Housing Ombudsman (Richard Blakeway)
 - Will be penalties for landlords who fail to join & RRO
 - Landlords will probably need to have joined before advertising a property to let, portals may require this
- S73:** To contain entries regarding Landlord's full details on each property let.
 - Each person will be given a 'unique identifier'. The database may also use UPRNs
 - Entries must be kept up to date – something agents will do Landlords/properties not on the register cannot be marketed
 - At present, the database operator and fees are unknown
 - Financial penalties for noncompliance up to £40,000

Your agent will provide all the required information and keep it up to date.

CONCLUSION by Susan

New government, new rules here we go again.

In my opinion it is not as bad as it looks. Most of the new rules are something we have been working with already for years. We have been for several years complying with: Rules for increasing rent. Decent Homes standard (and Introduction of Awaab's law.). Landlord's Redress Scheme

[New landlords' portal.](#) [New rules for tenancy agreements.](#) [Rules on discrimination and pets.](#) [New enforcement powers and fines.](#) [Stronger Rent Repayment Order penalties.](#)

All information required, will be implemented by us, your Agent and simply kept up to date.

[No more fixed-term tenancies](#), this is not a problem, as a 2 months' notice period must be given and this is what we have always worked with.

[Abolishes section 21 no-fault evictions](#) – This has changed, we cannot just end a tenancy without reason. Mandatory grounds for possession 1. If the landlord wishes to sell the property. 2. If the landlord or close family wish to live in the property. 3. The tenant has breached any Anti-Social Behavior and more.

As your Agent, we are determined to make sure these changes run smoothly

We will advise our landlords of work needed under 'decent homes'

We will load all your information to the new property portal

We will ensure discrimination/pets and other rules are complied with when sourcing tenants

We will advise landlords on appropriate rents to charge

[We need to discuss with each of our landlords they have proper insurance, including eviction costs, maybe rent guarantee insurance](#)

As your agent we will process the annual rent increases under s13 We will represent our landlords if rent is challenged to the FTT

It is not only our duty, but we are dedicated to keeping detailed records to protect our landlords and provide evidence should it be needed

Ensure new tenancy agreement rules are complied with

Carry out regular inspections and keep detailed records

Have a specially trained member of staff to assist tenants in arrears of rent

If you have any concerns and wish to discuss this further, please contact Susan on [01223 41440](tel:0122341440) or email susan@eps.properties