

## Appendix 1 – Renters Rights Act New Responsibilities

### Legislation

Renters' Rights Bill (Renters' Rights Act 2025)

### Summary

The Renters' Rights Bill (RRB), introduced in the House of Commons on 11 September 2024, aims to reform the private rented sector (PRS) in England by enhancing tenants' rights and protections.

In anticipation of the Renters' Rights Act 2025 coming in, further references in this document will be to the RRA or 'the Act'.

The RRA aims to fundamentally transform the private renting experience in England, addressing longstanding issues within the sector. It seeks to target the insecurity, poor quality and unaffordability of housing in the PRS and has been designed to provide renters with greater security and stability, enhancing their rights to reside in decent and safe homes without fear of sudden eviction.

It introduces a range of new measures into the PRS, as well as amending a raft of existing legislation such as the Housing Act 1988, Housing Act 2004 and Housing and Planning Act 2016.

The Act is aimed mainly at England but extends to Wales and Scotland only in so far as it covers rental discrimination against children or benefits status. LHAs will be the main enforcing authority.

**Note:** The bill is currently being considered by Parliament and will likely be amended before it becomes law. This document explains the current requirements as they stand (see [UK Parliament](#) for the current position). Many of the requirements will also warrant statutory instruments before they are enacted. The Act is expected to receive royal assent in spring/summer 2025. The government has committed to reasonable notice for implementation, but what this means has not been quantified. What we do know is that implementation will be staggered. The abolition of Section 21 no-fault evictions and tenancy reforms are the government's priorities. These are likely to come in straight away. The PRS database is at the policy development stage and the PRS Ombudsman is not expected for some time. The DHS, so far, has very little detail, and all elements (the standard and enforcement options) will be subject to consultation, expected in spring 2025. The lead enforcement authority is in development; the format is yet to be confirmed.

### Summary of new provisions

Provision	Section/amended legislation	Summary
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Abolition of Section 21 notices and ASTs	Part 1, Chapter 1  Amends the Housing Act 1988	The Act eliminates section 21 'no fault' evictions, transitioning all assured shorthold tenancies (ASTs) to periodic, indefinite tenancies.  LHAs will have a duty to enforce this requirement. Where they are satisfied beyond reasonable doubt of a breach, LHAs will be able to issue a financial penalty of up to £7,000 for creating a fixed-term tenancy or bringing a tenancy to an end without using correct grounds for possession. As an alternative to prosecution and a fine, LHAs will be able to issue financial penalties of up to £40,000 for offences where there has been a continued breach or where there has been a further breach within 5 years.
Unlawful eviction and harassment of occupier	Part 1 Chapter 7  Amends the Protection from Eviction Act 1977 to include financial penalties for offences	Enforcement for unlawful (illegal) eviction and harassment (existing offences under the Protection from Eviction Act 1977) will now become a duty. LHAs will have the option, instead of prosecution, to issue a financial penalty of up to £40,000 where they are satisfied beyond reasonable doubt of an offence.
Grounds for possession	Part 1, Chapter 1  Amends the Housing Act 1988	Housing Act 1988 section 21 notices will be abolished, and so landlords will need to use section 8 notices and have reasonable grounds for possession.  A number of new and amended grounds for possession will be introduced, including when the landlord or a member of their family wishes to move in or if the landlord wants to sell. When using these grounds, landlords will face restricted periods when they will not be able to market properties for rent.  Gaining possession without using the possession grounds correctly could result in a financial penalty. Where the LHA is satisfied beyond reasonable doubt of a breach, it will be able to issue a financial penalty of up to £7,000. As an alternative to prosecution and a fine, LHAs will be able to issue financial penalties of up to £40,000 for offences where there has been a continued breach or where there is a further breach within 5 years.
Requesting a pet	Part 1, Chapter 1  Amends the Housing Act 1988 and the Tenant Fees Act 2019	It will be an implied term that a tenant may keep a pet.  Tenants will have stronger rights to keep pets, and landlords will need to consider any written requests reasonably. Landlords will be able to stipulate that insurance is in place to cover pet damage, which may be taken out by the tenant or the landlord.
Protection against using rent increases to force evictions	Part 1, Chapter 1	Tenants will be able to appeal excessive above-market rent increases to the First-tier Tribunal.
Prohibition of rent in advance	Part 1, Chapter 1	Landlords will be prevented from accepting rent in advance.

	Amends the Housing Act 1988 and the Tenant Fees Act 2019	<p>After a tenancy agreement has been signed, the landlord can require the initial months' rent in advance of the tenancy start date. No other rent in advance can be required. The payment of rent is prohibited before a tenancy agreement has been entered into.</p> <p>This is a duty for weights and measures authorities to enforce and a power for district councils under the Tenant Fees Act 2019, section 6 and 7. With a financial penalty of up to £5,000 and up to £30,000 or prosecution for repeat offences. The threshold is that of beyond reasonable doubt.</p>
Written statement of terms	<p>Part 1, Chapter 1</p> <p>Amends the Housing Act 1988</p>	<p>Landlords will be required to provide tenants with a written statement of terms on which tenants occupy the property, as specified in regulations.</p> <p>Where the LHA is satisfied beyond reasonable doubt of a breach, it will be able to issue a financial penalty of up to £7,000; repeat offences are liable to prosecution and a fine.</p>
Prohibition of rental discrimination	Part 1, Chapter 3	<p>The Act makes it illegal for landlords to discriminate against prospective tenants in receipt of benefits or with children.</p> <p>LHAs will have a power to enforce this requirement. Where they are satisfied on the balance of probabilities of a breach, LHAs will be able to issue a financial penalty of up to £7,000.</p>
Ban on rental bidding	Part 1, Chapter 6	<p>Landlords and agents must publish an asking rent and cannot solicit or accept offers exceeding this amount.</p> <p>LHAs or the weights and measures authority will have the power to issue a financial penalty of up to £7,000 for not advertising the proposed rent and accepting an offer above the proposed rent.</p>
Awaab's Law	<p>Part 1, Chapter 7</p> <p>Amends the Landlord and Tenant Act 1985</p>	<p>Awaab's Law requires landlords to address hazards within a specified timeframe.</p> <p>It was introduced through the Social Housing (Regulation) Act 2023 for homes in the social sector, and through the RRA, Awaab's Law will extend to the PRS, setting clear legal expectations for landlords to make homes safe.</p> <p>Tenants will be able to complain to the PRS Ombudsman or take court action for breaches.</p>
PRS Landlord Ombudsman	Part 2, Chapter 2	<p>Subject to regulations, a new PRS Landlord Ombudsman (landlord redress scheme) will address tenant complaints about their landlords and provide impartial and binding resolutions.</p> <p>LHAs will be under a duty to enforce this requirement where they are satisfied beyond reasonable doubt of a breach. They will be able to issue a financial penalty of</p>

		up to £7,000 for not being a member of a scheme and up to £40,000 as an alternative to prosecution and a fine for a continued breach or further offences within 5 years.
PRS database	Part 2, Chapter 3  Amends the Housing Act 1988	<p>Subject to regulations, all landlords will be required to register themselves and their properties on a new PRS database and keep the information up to date.</p> <p>LHAs will be under a duty to enforce this requirement where they are satisfied beyond reasonable doubt of a breach and will be able to issue a financial penalty of up to £7,000 for:</p> <ul style="list-style-type: none"> <li>• Marketing a dwelling without an active entry for the landlord and dwelling</li> <li>• Advertising a property without the unique identifier of the landlord and dwelling</li> <li>• Failing to ensure there is an active landlord-and-dwelling entry.</li> </ul> <p>A financial penalty of up to £40,000 as an alternative to prosecution, and a fine can be issued for continued breaches, further offences within 5 years or knowingly or recklessly providing false or misleading information.</p> <p>A court will not make an order for possession if requirements are not met.</p>
Decent homes standard for the PRS	Part 3 and Schedule 4  Amends Part 1 of the Housing Act 2004	<p>This provides for the introduction of a decent homes standard (DHS) for the PRS, which landlords will have a duty to meet to ensure tenants live in safe homes that meet minimum criteria.</p> <p>Subject to regulations, requirements to be met may include categories such as state of repair, safety, security, comfort and suitable temperature. They will introduce the definition of type 1 and 2 requirements under the DHS, which are expected to be the equivalent of category 1 and 2 hazards.</p> <p>The Housing Act 2004 is amended to introduce a duty to inspect qualifying residential premises to check if they meet the requirements of the regulations and to add a duty to take enforcement action for failure to meet a Type 1 requirement. There will be a power to take action for Type 2 requirements.</p> <p>LHAs will be able to issue a financial penalty of up to £7,000 for the presence of a Category 1 hazard or failure to meet a Type 1 requirement, where, in the opinion of the LHA, it would have been reasonably practicable for the responsible person to secure the removal of the Category 1 hazard or the meeting of the Type 1 requirement. In addition, LHAs will be able to serve a Housing Act 2004 notice.</p>
Investigatory powers	Part 4, Chapter 3	<p>New investigatory powers include:</p> <ul style="list-style-type: none"> <li>• Requiring information from a relevant person</li> </ul>

	Amends the Housing Act 2004, Protection from Eviction Act 1977, Housing Act 1988, Enterprise and Regulatory Reform Act 2013, Housing and Planning Act 2016	<ul style="list-style-type: none"> <li>• Entering business premises with and without a warrant</li> <li>• Production and seizing of documents following entry</li> <li>• Entering suspected residential premises with and without a warrant.</li> </ul> <p>Offences to accompany these new powers include:</p> <ul style="list-style-type: none"> <li>• Obstruction</li> <li>• Failure to comply</li> <li>• Failure to assist/give information as required</li> <li>• Providing a false or misleading statement.</li> </ul> <p>Each of these carries a fine of up to £1,000 (Level 3 on the standard scale) on summary conviction.</p> <p>Impersonating an LHA officer is also an offence – on summary conviction, to an unlimited fine.</p> <p>Officers can also require information from any person. Failing to comply will require the LHA to go to court for an order.</p>
Out-of-area enforcement	Part 4, Chapter 2	Each LHA will be obliged to enforce landlord legislation in its area. In addition, LHAs will be able to enforce the legislation in another LHA area. County councils will also be able to enforce the landlord legislation, including issuing a financial penalty and prosecution. LHAs taking enforcement action outside of their area and county councils will have a 'duty to notify' the LHA for that area.
Lead enforcement authority	Part 4, Chapter 2	The secretary of state has the power to appoint a lead enforcement authority. LHAs will be required to work with the lead authority and have regard to guidance issued by it.
Unlicensed property offences	Part 4 Amends the Housing Act 2004	This widens the scope of who has committed an offence for operating an unlicensed HMO/other house to include any person who is the landlord or licensor in relation to a person occupying the licensable property. The reasonable excuse defence is also expanded to take account of this change.
Service of improvement notice	Part 4 Amends the Housing Act 2004	This widens the scope of who a notice can be served on to include the landlord, licensor and superior landlord.
Rent repayment orders	Part 2, Chapter 4 Part 4, Chapter 1 Amends the Housing and Planning Act 2016 and some offences under the Housing Act 1988, Protection from Eviction Act 1977,	RROs are being extended to a range of offences, including those committed under the Housing Act 1988, as well as new offences (and continuing offences) committed under the RRA. They are also to be extended to superior landlords and company directors.  Repeat offenders will be required to repay the maximum amount, which will double from 12 to 24 months' rent. Tenants and LHAs will have up to 2 years to apply for an RRO.

## **General guidance to the key provisions of the Renters' Rights Act 2025**

### **1. Abolition of Section 21 notices and ASTs**

Part 1, Chapter 1 of the Act eliminates section 21 'no fault' evictions by amending the Housing Act 1988, transitioning all ASTs to periodic, indefinite tenancies.

The measure has been designed to facilitate stable, long-term housing solutions and ensure renters can challenge poor practices without fear of sudden/retaliatory eviction, providing tenants with more security. This is the government's headline measure of the RRA and is likely to come in straight away when the Act commences.

Landlords will no longer be able to evict tenants without a reason and will need to use and adhere to one of the defined possession grounds (see 'Fair possession grounds' below). Tenants can give 2 months' notice if they wish to leave the tenancy. Existing tenancies will become assured periodic tenancies with rent periods not exceeding 1 month.

Where the LHA believes beyond reasonable doubt that a relevant person has tried to bring a tenancy to an end by serving a notice to quit, serving a notice of possession, requiring that the tenancy is brought to an end orally or relying on grounds which they don't reasonably believe the landlord will be able to obtain possession on, the LHA will be able to issue a financial penalty of up to £7,000 for a breach, and up to £40,000 or prosecution for a continued breach or for further offences within 5 years. The same offences and sanctions apply to the creation of a fixed-term tenancy.

### **2. Unlawful eviction and harassment of occupiers**

Part 1, Chapter 7 amends the Protection from Eviction Act 1977 to include financial penalties for offences.

Part 4, Chapter 2: Enforcement against unlawful eviction and harassment will become a duty.

The LHA will be able to issue a financial penalty of up to £40,000 if it is satisfied beyond reasonable doubt that an offence has been committed. The option to prosecute remains under the Protection from Eviction Act 1977, and the process for establishing unlawful eviction and harassment will remain the same.

### **3. Grounds for possession**

Housing Act 1988 section 21 notices will be abolished, and so landlords will need to use Housing Act 1988 section 8 notices and have reasonable grounds for possession. The aim is to provide tenants with more security and ensure fairness, while allowing landlords to recover their property when reasonable.

A number of grounds for possession will be introduced, including, as examples, when the landlord or a member of their family wishes to move in or if the landlord wants to sell the property (providing the tenancy began at least one year before the date on the notice). The usual notice period that a landlord will need to give their tenants such as in these two examples, will be four months, although it may be less depending on the ground for possession.

**Note:** Family for this ground of possession is defined in Schedule 1 of the RRA and is not as wide as the Housing Act 2004 definition of family members relevant to HMOs.

When using some of the grounds where the tenant is not at fault, the landlord will face a restricted period of 12 months during which they will not be able to let the property or market it for rent.

Where there are rent arrears, a landlord will be able to give four weeks' notice for possession. There will need to be rent arrears of at least three months at the time of service of notice and at the eviction hearing (not including delays caused by Universal Credit).

A new ground for possession will also be introduced for HMOs let to full-time students so the property can be let to the next cohort of students. All occupants must be full-time students in higher education, or the landlord must believe they will be when they start their tenancy. The landlord will need to have given written intention to the tenants; the tenancy must be at least four months long; and it must expire between June and September. The next occupants will also need to be students.

There will be further grounds for possession following amendments to the Housing Act 1988, including rent arrears (less than 3 months), breach of tenancy agreement, where substantial redevelopment is required or there is anti-social behaviour (where there has been criminal behaviour or persistent anti-social behaviour). (Refer to Part 1, Chapter 1 and Schedule 1 of the RRA for a full list of these grounds.)

The section 8 eviction process will require service of notice to the tenants under one of the new possession grounds; landlords will need to use prescribed [tenancy form 3: notice seeking possession of a property let on an assured tenancy or an assured agricultural occupancy](#) and ensure they give the correct notice period. They will then need to make an application for possession, followed by a court hearing.

### **Enforcement**

An LHA will be able to issue a financial penalty of up to £7,000 for a breach and up to £40,000 or prosecution for a continued breach or a further offence within 5 years where it is satisfied beyond reasonable doubt that a landlord has evicted a tenant without using a correct ground for possession. Also, see the 'Abolition of Section 21 notices and ASTs' section above.

## **4. Requesting a pet**

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The RRA amends the Housing Act 1988 and the Tenant Fees Act 2019.

It will be an implied term in tenancy agreements that a tenant may keep a pet. Landlords will need to consider any written requests reasonably made by a tenant to keep a pet and respond within 28 days. The landlord cannot refuse the request without good reason. Landlords will be able to stipulate that insurance is in place to cover pet damage, which may be taken out and paid for by the tenant or taken out by the landlord and reimbursed by the tenant.

The tenant will be able to appeal the landlord's decision to the PRS Ombudsman or through the courts. There will be no LHA enforcement mechanism for this matter.

Guidance is expected before this requirement takes effect.

## **5. Protection against using rent increases to force evictions**

Under Part 1, Chapter 1 of the Act, landlords will be able to raise rent a maximum of once per year using section 13 of the Housing Act 1988. They will need to give two months' notice and use the prescribed [Tenancy Form 4: landlords' notice proposing a new rent under an assured periodic tenancy of premises situated in England](#).

Tenants will be able to appeal excessive above-market rent increases to the First-tier Tribunal. There will be no LHA enforcement powers or duties for this provision.

## **6. Prohibition of rent in advance**

Part 1, Chapter 1 of the Act amends both the Housing Act 1988 and the Tenant Fees Act 2019. Landlords (and agents) will be prevented from inviting, encouraging or accepting rent in advance from prospective tenants or third parties. Once the tenancy is signed, the landlord can accept a maximum of one month's rent before the tenancy commences.

Any breach will be classed as a prohibited pre-tenancy payment under the Tenant Fees Act 2019. This has historically been a trading standards function and is a duty for weights and measures authorities to enforce these breaches where they are satisfied beyond reasonable doubt that an offence has been committed. It will also be a power for district councils under the Tenant Fees Act 2019, sections 6 and 7.

Sanctions include a financial penalty of up to £5,000, increasing to up to £30,000 or prosecution for a repeat offence within 5 years.

## **7. Written statement of terms**

Part 1, Chapter 1 of the Act requires landlords and persons acting on their behalf (such as agents and managers) to provide tenants with a written statement of terms on which they occupy the property. Regulations will specify the details.

LHAs will be able to issue a financial penalty of up to £7,000 where they are satisfied beyond reasonable doubt that a person has committed an offence; repeat offences will be liable to prosecution and a fine.

Where a written statement of terms has not been provided to the tenant in line with the regulations, it is unlikely (in most cases) that landlords will be able to successfully gain possession through the courts.

## **8. Prohibition of rental discrimination**

Part 1, Chapter 3 of the RRA aims to support a more inclusive and fairer housing market by addressing both direct and indirect discrimination relating to children and people claiming benefits.

Similar protections will also be enacted in Wales (Part 1, Chapter 4) via amendments to the Renting Homes (Fees Etc.) (Wales) Act 2019 and in Scotland (Part 1, Chapter 5) via amendments to the Private Housing (Tenancies) (Scotland) Act 2016.

LHAs in England will be able to issue a financial penalty of up to £7,000 where they are satisfied on the balance of probabilities that a breach has occurred. In Wales and Scotland, there will be criminal sanctions.

## **9. Ban on rental bidding**

Under Part 1, Chapter 6 of the Act, rental bidding will be prohibited, with the aim of ensuring a fairer and more transparent rental process for tenants by targeting exploitative actions by landlords.

There is likely to be guidance published on this, but fundamentally, landlords and agents will be required to publish an asking rent and cannot encourage, solicit or accept offers exceeding that amount.

LHAs will be able to serve a financial penalty of up to £7,000 where they believe on the balance of probabilities that a landlord or agent has not advertised the proposed rent or has accepted an offer above the published proposed rent.

## **10. Awaab's Law**

Part 1, Chapter 7 of the Act introduces Awaab's Law into the PRS.

Awaab's Law was introduced through section 42 of the Social Housing (Regulation) Act 2023 for homes in the social rented sector. It was designed to empower tenants to challenge hazardous conditions such as damp and mould and require social landlords to take timely and effective action. It compels social housing landlords to address hazards within a specified timeframe. Regulations are expected in 2025 to bring this into effect for social housing; the provisions are expected to come in on a phased basis as below:

- October 2025 – social landlords will need to address damp and mould hazards that present a significant risk of harm to tenants and emergency repairs within 24 hours
- In 2026, this is expected to extend to excess cold, excess heat, falls, structural collapse, fire, electrical, explosions and hygiene hazards
- In 2027, it will apply to all hazards except for crowding and space.

The RRA will extend Awaab's Law to the PRS, although it is not yet known how it will be applied to the sector; it is expected to set clear legal expectations for landlords to make homes safe. It is worth bearing in mind that the requirements may not be the same as those enacted for social housing. But in a similar approach, this extension of Awaab's Law will include implied terms in PRS tenancy agreements.

Landlords will be obliged to address serious hazards promptly, within clear timescales. Where a landlord fails to take any steps necessary to comply with the regulations, tenants will be able to take legal action for breach of contract. Courts can then order landlords to take remedial action and/or award compensation to the tenant. Tenants will also be able to raise a complaint directly with their landlord, escalate it to the newly established PRS Ombudsman and complain to their LHA.

The government has also announced that they intend to apply Awaab's Law to temporary accommodation and supported housing; consultation and guidance is expected before it is introduced.

## **11. PRS Landlord Ombudsman**

The PRS Landlord Ombudsman, otherwise known as the landlord redress scheme, will be a newly established body under Part 2, Chapter 2 of the Act, which will provide tenants with a free, fair and impartial mechanism to resolve complaints and disputes with their landlords. This aims to align PRS tenant rights with existing social housing redress practices, fostering a more accountable and transparent rented sector for both tenants and landlords.

All private landlords operating in England with assured or regulated tenancies will be required to join a redress scheme, ensuring tenants can lodge complaints that are independently assessed and resolved.

Landlords will be issued with guidance for managing tenant complaints, facilitating quick and cost-effective resolution without the need for legal action. The Landlord Ombudsman will have the authority to deliver binding resolutions, including requiring landlords to apologise, provide information, undertake remedial action and pay compensation.

The redress scheme will cover a wide range of tenant complaints against landlords, from unresolved maintenance issues to breaches of rental agreements, as well as action and inaction that have caused inconvenience and harm. This will ensure tenants have a clear route for resolving disputes, and it reinforces landlords' responsibilities in maintaining housing standards. Landlords will not be able to use the service to complain about tenants.

Landlords will need to join the scheme when a property is marketed for letting and remain in the scheme for a reasonable period, even after the letting has come to an end.

Failure to comply with the decision of the ombudsman may result in the landlord being expelled from the scheme; they could then face penalties from the LHA for not being registered.

Landlords not joining a scheme will face civil penalties of up to £7,000 for a first or minor breach. A fine of up to £40,000 or prosecution are possibilities for continued breaches or further breaches within 5 years. LHAs will need to be satisfied beyond reasonable doubt. Tenants can also apply for rent repayment orders against landlords who fail to join the Landlord Ombudsman Scheme.

Regulations are required before the scheme can be implemented, and there is expected to be a grace period during which landlords can sign up to it, although this has not been confirmed.

Funding for the redress scheme will primarily be from landlord membership fees.

There will be some overlap between the new PRS Ombudsman and the existing Property Redress Scheme for letting agents and property managers, and also areas where they are unique. In all cases, PRS tenants will be able to complain to the PRS Ombudsman, and in some cases, tenants who rent through a letting agent will be able to complain to both schemes.

## **12. PRS database**

All landlords will be required to register themselves and their properties on a new PRS database and keep their information up to date. This database, introduced by Part 2, Chapter 3 of the Act, aims to enhance compliance and transparency and assist landlords in understanding their legal obligations and responsibilities by also providing information and guidance in one place. It will also help tenants to be better informed, know their rights and increase landlord accountability. It will support LHAs in intelligence-gathering and targeted enforcement.

The PRS database will require regulations before it comes in and is likely to require landlords to pay a fee and possibly a renewal fee. The fee will cover administration of the scheme, enforcement related to the database and, potentially, in the future, an element of PRS enforcement.

No property will be permitted to be marketed without an active landlord-and-dwelling entry on the database, and residential landlords will have a duty to ensure that there is an active landlord-and-dwelling entry on the database.

The PRS database will replace the database of rogue landlords and property agents brought in under the Housing and Planning Act 2016. LHAs will have to make an entry on the PRS database with respect to any banning order made by the LHA and

any convictions and financial penalties issued for a banning order offence. LHAs may also make an entry where a landlord or agent has been convicted of an offence or issued with a financial penalty for a banning order offence by a person or body other than the LHA.

The Housing Act 1988 has been amended so that the court will not (in most cases) make an order for possession if PRS database requirements have not been met.

LHAs will be able to issue residential landlords with financial penalties of up to £7,000 for marketing a dwelling without an active entry for the landlord and the dwelling, for advertising a property without the unique identifier of the landlord and dwelling and for failing to ensure there is an active landlord-and-dwelling entry. For further breaches within 5 years or providing false or misleading information, an LHA will be able to issue a financial penalty of up to £40,000 or prosecute. LHAs will need to be satisfied beyond reasonable doubt.

LHAs, prospective tenants, tenants and landlords will all have a level of access to the database. Information on property standards is likely to be publicly available, as will certain offences. The details will be laid out in regulations, and not all information held on the database will be available to the public.

Implementation of the database is not as yet confirmed. When it does come in, there is expected to be a grace period for landlords to join the database, although this has also not been confirmed.

### **13. Decent homes standard for the PRS**

The Act provides for the introduction of an enforceable decent homes standard (DHS) for the PRS to ensure tenants live in safe, decent homes that meet minimum standards. It will apply to the majority of private rented homes, including assured tenancies and supported housing, and will set clear requirements for housing quality and safety.

The Housing Act 2004 is amended through Part 3 and Schedule 4 of the RRA to introduce a decent homes standard for the PRS in England. Following consultation, regulations will be issued that specify requirements that must be met for 'qualifying residential premises' and enforcement of these.

Subject to regulations, requirements to be met may include state of repair, safety, security, comfort and suitable temperature.

Amendment to the HA04 will include:

- LHAs will have a duty to take enforcement action for failure to meet 'Type 1 requirements' and a power to take enforcement action for 'Type 2 requirements'
- LHAs will also be under a duty to inspect qualifying residential premises to check if they meet the requirements of the regulations.

Government guidance will be published which is likely to explain what the term 'duty' means in practice. The regulations will define Type 1 and Type 2 requirements.

### **Enforcement**

The DHS will place a legal duty on landlords to be proactive and ensure their properties meet the standards.

Where an LHA identifies the existence of a Category 1 hazard or the failure to meet a Type 1 requirement, they will be able to issue a financial penalty where 'in the opinion of the LHA it would have been reasonably practicable for the responsible person to secure the removal of the Cat 1 hazard or the meeting of the Type 1 requirement'.

The LHA will be able to issue a financial penalty of up to £7,000 and/or serve a notice/make an order/take action (improvement notice, prohibition order, awareness notices, emergency remedial action, emergency prohibition order) under the HA04. With this in mind, a 'hazard awareness notice' will become an 'awareness notice' (in England) so that it covers type 1 and 2 requirements as well as category 1 and 2 hazards.

LHAs will also have the power to serve a notice/make an order for Type 2 requirements as well as Category 2 hazards.

Breach of a notice/order will incur the same sanctions as currently available in the Housing Act 2004.

### **Scope**

The DHS will apply to qualifying residential premises in the PRS including dwellings and HMOs let on a relevant tenancy and supported exempt accommodation. Ministers have also announced that they intend to bring temporary accommodation into scope.

Although yet to be confirmed, purpose-built student accommodation may fall outside the domain of the DHS.

In 2022, the Conservative government [consulted](#) on applying a DHS to the PRS. Before its introduction, this government has committed to further [consultation on the new DHS](#).

### **Social housing**

The DHS currently applies only to the social housing sector and is not enforceable by LHAs; details on the current standard can be [found here](#). The standard brought in for the PRS is likely to be different.

## **14. Investigatory powers**

Being able to require information from third parties, enter business premises to seize and detain evidence, enforce out of area and the introduction of a lead enforcement

authority will be new powers designed to enhance investigations to make enforcement easier.

### **Requiring information**

New investigatory powers through Part 4, Chapter 3 of the Act will allow an LHA to be able to require information from anyone where it suspects a breach or offence has been committed. This will make it easier to obtain financial information (including from banks, client money protection schemes and accountants) when carrying out an investigation into alleged breaches. Failure to comply will not be an offence in itself, and the LHA will need to obtain a court order to enforce this. LHAs will also be able to require information from property owners and agents, and failure to comply will be an offence, subject to a fine of up to £1,000 (Level 3 on the standard scale) on summary conviction.

Section 235 of the Housing Act 2004 is also amended so that a notice requiring documents to be produced can be served on a relevant person in connection with functions under Part 7 of the Housing Act 2004.

### **Powers of entry**

Part 4, Chapter 3 of the Act gives LHAs the power to enter any 'rental business' (presumably letting and managing agents) without needing to suspect an offence has been committed, to seize documents that could assist in an investigation. This will include physical records and digital storage where such information might be kept.

Entering business premises, seizing and detaining information and entering premises under a residential tenancy will usually require 24 hours' notice. Warrant powers will also be available. Obstruction, failure to comply, failure to assist/give information as required and providing a false or misleading statement could lead to a fine of up to £1,000 (Level 3 on the standard scale) on summary conviction.

A person accompanying an authorised officer of the LHA when entering a premises, in the company and under the supervision of the officer, will have the same powers as the officer.

Impersonating an LHA officer will also be an offence – on summary conviction, to an unlimited fine.

Powers of entry under section 239 of the Housing Act 2004 have also been slightly amended so that a person required to receive notice of entry will be able to waive that requirement (e.g. a tenant or landlord will be able to waive the requirement to receive 24 hours' notice of a property inspection). Although this could be useful for tenants who may choose to waive that right, it is unlikely in practice to be taken up voluntarily by property owners who might subsequently receive a notice/order. Therefore, this amendment, on the face of it, looks to have little value.

## **15. Out-of-area enforcement and lead enforcement authority**

Each LHA will be obliged to enforce landlord legislation in its area. In addition, LHAs will also be able to enforce the legislation in another LHA area (Part 4, Chapter 2).

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County councils will be able to enforce aspects of the legislation, including offences relating to the redress scheme, PRS database, breaching restrictions on marketing properties for rent, discrimination and rental bidding.

LHAs taking enforcement action outside of their area and county councils will have a 'duty to notify' the LHA for that area.

Part 4, Chapter 2 of the RRA also gives the secretary of state the power to appoint a lead enforcement authority to promote consistent enforcement through guidance and advice. What this will look like and how this will work is yet to be determined, although the current model used by National Trading Standards may offer a fair reflection.

## **16. Unlicensed property offences and service of notices**

Part 4, Chapter 1, amends sections 72 and 95 of the Housing Act 2004 to include (in addition to persons having control or managing the licensable property) the immediate landlord or licensor of the tenants and any superior landlord or licensor – as persons who also commit an offence where a property that should be licensed is unlicensed.

The reasonable excuse defence is extended in consideration of the above amendment.

Part 4, Chapter 1 also amends the Housing Act 2004, Schedule 1, Paragraph 2, for certain property types to allow the LHA to serve an improvement notice on a landlord, licensor, superior landlord or superior licensor if it considers that such a person ought to take the action specified in the notice.

## **17. Rent repayment orders (RROs)**

RROs are available for landlords who commit certain offences and are seen as a further mechanism to deter poor practices and for tenants to seek redress. The Act is reforming the scope of RROs, previously introduced through the Housing Act 2004 and extended through the Housing and Planning Act 2016 (Part 2, Chapter 4 and Part 4, Chapter 1).

RROs are being further extended through the Act to include superior landlords, who, following the decision by the UK Supreme Court in [Rakusen v Jepsen & Ors](#) [2023] UKSC 9 (1 March 2023), were not previously liable for an RRO. The amendments mean that superior as well as immediate landlords can both be liable for an RRO. Liability for RROs is also being explicitly extended to company directors.

The amount of rent that can be reclaimed will double from 12 to 24 months of rent, and repeat offenders will be required to repay the maximum amount.

Where a landlord has been convicted of or has received a financial penalty for a relevant offence, the tribunal will be obliged to award the maximum RRO amount.

Where an RRO is made against a landlord – who has a history of committing the same offence for which they were previously convicted or who has received a financial penalty or had an RRO made against them – again, the tribunal will have to issue the maximum RRO amount.

Tenants and local authorities will have up to 2 years to apply to the First-tier Tribunal for an RRO, rather than the 1 year as currently stands.

The Housing and Planning Act 2016 is amended to include that where an RRO is made against more than one landlord, those landlords must be held jointly and severally liable for the amount due under that order.

### **New offences covered by RROs**

The RRA amends the Housing and Planning Act 2016 to include the following offences:

- Knowingly or recklessly misusing a ground for possession under the Housing Act 1988
- Breach of a restriction on letting/marketing under the Housing Act 1988
- Continued tenancy reform breaches under the Housing Act 1988
- Continued breaches of the landlord redress scheme (PRS Ombudsman)
- Continued failure to have an active landlord-and-dwelling entry on the PRS database
- Knowingly or recklessly providing false or misleading information to the PRS database

### **Enforcement**

See details above.

Financial/civil penalties will range from £7,000 for a first or minor offence to up to £40,000 for repeated or major non-compliance. Criminal prosecution will remain an option for the most serious offences and offenders.

### **Power of Entry**

Housing Act 2004, section 239

Renters' Rights Act 2025 Part 4, Chapter 3:

- Business premises: Entry without warrant
- Business premises: Entry under warrant
- Suspected residential tenancy: Entry without warrant
- Suspected residential tenancy: Entry under warrant.