



**Prosperous Communities
Committee**

Tuesday 28th April 2026

Subject: Renters Rights Act - Policy Update

Report by:

Chief Executive

Contact Officer:

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Purpose / Summary:

To seek approval for the revised Housing Enforcement Policy and Revised Civil Penalties Policy in light of the introduction of the Renters Rights Act 2025.

RECOMMENDATION(S):

Committee are asked to:

- a) Approve the revised Housing Enforcement Policy.
- b) Approve the revised Civil Penalties Policy
- c) Approve that an update on progress is provided to the relevant policy committee before the end of the 26/27 financial year.

IMPLICATIONS

Legal:

The Renters Rights Act 2025 comes into effect on the 1st of May 2026 and enshrined within this are a number of statutory obligations that the Council must deliver.

In order to deliver these the Council must have in place a policy that sets out its approach to housing enforcement and alongside this a policy that sets out how it will issue civil penalties for any relevant offences.

The revised legislation can be found here

<https://www.legislation.gov.uk/ukpga/2025/26/contents>

Financial : FIN/12/27/PC/SL

There are no immediate financial implications as a result of this report. The Council have been provided with a new burdens' payment of £28,627.27 in December 2025, which is aimed at providing support for any preparatory work relating to our new responsibilities under the Act.

It is expected that further new burdens will be provided in 2026 ahead of the commencement of the powers within the Act and also beyond this period in future years to create a sustainable funding system for private rented sector enforcement over the long term based on the private rented sector database fees.

Alongside this, within the Homelessness, Rough Sleeping and Domestic Abuse Grant a separate amount has been allocated for Renters Rights Act new burdens. £54,165 has been allocated, separated down to £36,826 (26/27) and £17,339 (27/28). There is then no further allocation for 28/29.

Staffing :

There are deemed to be sufficient staffing resources available within the impacted work areas to deal with the proposed legislative changes. This position will remain under review and should additional staffing be required a business case will be prepared to address this.

Equality and Diversity including Human Rights :

The amendments to both policies reflect the revised statutory position of the Government. The Governments Impact Assessment can be found here [Renters' Rights Bill Impact Assessment](#)

Data Protection Implications :

None noted.

Climate Related Risks and Opportunities :

Residential buildings are a significant source of carbon emissions in the UK. Reducing carbon emissions from new and existing homes is therefore part of strategies to meet the UK's net zero target.

The government has set a legally binding [target to reduce the UK's net emissions by 100% by 2050](#) compared with 1990 levels. This is known as the 'net zero target'.

In 2022, emissions from residential buildings accounted for [a fifth \(20%\) of greenhouse gas emissions in the UK](#).

Emissions from residential buildings come mainly from fuel combustion (the burning of oil and gas for heating and hot water) and electricity use. Homes can be decarbonised by installing low-carbon heating systems (such as heat pumps), fitting insulation to improve their energy efficiency and installing renewable energy systems (such as solar panels).

Section 17 Crime and Disorder Considerations :

The new powers granted within the RRA extend significantly the offences that can be dealt with by the Council, some of which can be dealt with via the criminal courts.

Health Implications:

Housing is a fundamental determinant of health, with poor-quality, unaffordable, or insecure housing significantly increasing the risks of respiratory illnesses, cardiovascular disease, infectious diseases, and poor mental health. Cold, damp, and overcrowded conditions lead to higher mortality, injuries, and impaired child development. [https://www.who.int/news/item/26-11-2018-housing-impacts-health-new-who-guidelines-on-housing-and-health#:~:text=The%20World%20Health%20Organization%20\(WHO\)%20has%20released,diseases%2C%20such%20as%20tuberculosis%2C%20influenza%2C%20and%20diarrhea](https://www.who.int/news/item/26-11-2018-housing-impacts-health-new-who-guidelines-on-housing-and-health#:~:text=The%20World%20Health%20Organization%20(WHO)%20has%20released,diseases%2C%20such%20as%20tuberculosis%2C%20influenza%2C%20and%20diarrhea)

Title and Location of any Background Papers used in the preparation of this report:

None noted.

Risk Assessment :

Legislative : New legislation requires embedding into the Council's policies. This report seeks to mitigate that risk by updating the two relevant policies.

Reputational : The introduction of the Renters Rights Act 2025 changes the landscape for the standards within the private rented sector, and it is essentially

reputationally that the Council are seen to be adhering to and delivering these changes.

Non collection of civil penalties : This will always be a risk to the Council and the collection rate shown is currently good. As higher civil penalties are issued there may become more of a need to enhance the amount of debt recovery through the court, which in turn increases the cost to the Council, some of which can be recovered.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Executive Summary

The Renters Rights Act (RRA) 2025 comes into effect on the 1st of May 2026. This is phase 1 of the implementation and will be followed by further phases of which the specific timescales are unknown. The RRA is the single biggest legislative change to the private rented sector to have ever been delivered and is aimed at giving renters much greater security and stability so they can stay in their home for longer, build lives in their communities and avoid the risk of homelessness.

The Act completed its passage through parliament on the 22nd October 2025 and received Royal Assent on 27 October 2025.

A full overview of the RRA and its provisions can be found here

<https://www.gov.uk/government/publications/guide-to-the-renters-rights-act/guide-to-the-renters-rights-act#background>

There are around 8000 properties in the PRS within West Lindsey and this report seeks to gain approval for a revised Housing Enforcement Policy, which now entails the provisions to enable the Council to carry out its statutory duties as set out in the Act.

The measures within the Act seek to:

- Abolish S21 evictions
- Ensure possession grounds are fair to both parties
- Provide stronger protections against backdoor eviction
- Introduce a new PRS landlord Ombudsman
- Create a PRS database
- Give tenants strengthened rights to request a pet in the property
- Apply the Decent Homes Standard to the PRS
- Apply “Awaab’s Law” to the sector
- Make it illegal for landlord and agents to discriminate against prospective tenants in receipt of benefits or with children
- End the practice of rental bidding by prohibiting landlords and agents from asking for or accepting offers above the advertised rent
- Strengthen Local Authority Enforcement
- Strengthen rent repayment orders

These measures will be introduced in phases and will be accompanied by guidance.

The report also seeks to gain approval for a revised Civil Penalties Policy, which has been updated to include all of the new offences that can be discharged in this manner as well as providing a new matrix for calculating the penalty amount in line with the new Government guidance.

1 Introduction

1.1 Phase 1 of the Renters Rights Act (RRA) 2025 comes into effect on the 1st of May 2026. This phase includes core changes to the approach within the sector as follows:

- Abolish S21 evictions
- Ensure possession grounds are fair to both parties
- Provide stronger protections against backdoor eviction
- Give tenants strengthened rights to request a pet in the property
- Strengthen Local Authority Enforcement
- Make it illegal for landlord and agents to discriminate against prospective tenants in receipt of benefits or with children
- End the practice of rental bidding by prohibiting landlords and agents from asking for or accepting offers above the advertised rent

1.2 The Council will have a variety of roles to play when these changes come into effect, particularly relating to the changes to grounds for possession and its strengthened enforcement powers.

2 Preparation

2.1 The Council have taken steps to ensure that the changes that are coming into effect can be managed and monitored after the 1st of May 2026. Previously briefings have been provided to Councillor and West Lindsey Administration Leaders and MHCLG have developed and delivered their own communications campaign on the changes.

2.2 The Council has been provided £28,267.27 in new burdens funding for phase 1 implementation and it has been confirmed that further new burdens funding will be provided to enable the delivery of phase 2 and 3. It should be noted that whilst the new burdens funding has been provided, it is not an amount that is expected to be received in perpetuity, therefore does not provide any real benefit in terms of longer term resources.

2.3 Alongside this, within the Homelessness, Rough Sleeping and Domestic Abuse Grant a separate amount has been allocated for Renters Rights Act new burdens. £54,165 has been allocated, separated down to £36,826 (26/27) and £17,339 (27/28). There is then no further allocation for 28/29. This creates an overall amount of new burdens to date of £82,792.37.

2.4 Officers who will be implementing the changes proposed within the Act have received training free of charge from various agencies and there has been a nationally led “project jigsaw” which has sought to bring together all the proposed changes and best practice to support Councils in delivering the new requirements.

2.5 Internally, there has been an officer working group in place for a significant period of time, which has sought to ensure that the new

provisions can be achieved. This officer group will continue to meet beyond the implementation date.

- 2.6 It is intended to monitor demand and implications from the 1st of May 2026 and then utilise the new burdens as appropriate to support the necessary areas of work. We expect to require additional resources, but at this stage are not clear as to where they will need to be focussed.

3 New Responsibilities

- 3.1 Appendix 1 sets out in detail the new responsibilities that will fall under the Council's remit. These responsibilities will not all come into effect on the 1st of May 2026.
- 3.2 There is already guidance (some statutory) available for some of the new responsibilities which is available here and will be adhered to by officers <https://www.gov.uk/government/collections/renters-rights-act-guidance-for-local-authorities-and-councils>
- 3.3 In the main, these responsibilities will come in the form of an enhance scope for taking enforcement action. This enforcement action is likely to come in the form of the issuing of a civil penalty, where an offence is made out.
- 3.4 The Council is also being given a "Duty to Report" underpinned by the Act, which will require it to submit mandatory data returns for this area from the end of 2026. The Council have engaged in the voluntary duty to report over the last 12 months and this data, when it become mandatory will help to inform national and local policy, alongside seeking to identify gaps in service provision.
- 3.5 It is important to note whilst the new legislation makes greater provision for the rights of tenants, it does also present risks to the landlord sector, of which the impacts as yet are unknown. These risks could result in increased costs within the sector, which could be passed on to tenants. It could also result in a slower court process given the additional grounds for possession. These impacts will need to be considered nationally and locally.

4 Approach

- 4.1 The Council already has a robust approach to housing enforcement in place and has had a statutory duty to enforce the requirements of the Housing Act since it came into effect. The work area proactively and reactively takes steps to improve the conditions within the sector and this approach will continue.
- 4.2 There is already a very robust approach to housing enforcement, and a variety of powers and tools are used to ensure that landlords comply with legal requirements. This includes the serving of notices and warning letters as well as the use of financial civil penalties to deal with non-compliance.

- 4.3 Our regime of proactive compliance checks requests that landlords provide us with all of the relevant legal certification that should be in place. This helps resources to be targeted at properties where they may be non-compliance, however, is only a desk based exercise so does not determine whether a property has any other hazards within it. This can only be done by visiting and inspecting the property.
- 4.4 The level of activity that occurs within the work area currently is shown in the table below;

Activity	2023/2024	2024/2025	2025/2026
Compliance checks	143	248	135
Complied with	120 (84%)	220 (89%)	112 (82%)
Inspections	176	224	243
Notices served	65	60	96
Properties improved	126	192	161
Number of requests received	171	129	145

- 4.5 The main points to note from the activity are as follows:
- Around 15% of compliance checks identify concerns.
 - 85% provided all the required documentation.
 - A large volume of formal notices are served to achieve compliance.
 - 479 properties have been improved because of either the compliance check or formal inspection.
 - Around 12 reports from customers are received per month about poor housing condition.
- 4.6 It is expected that the volume of reporting and activity is likely to increase in the next 12 months for two main reasons. Tenants will eventually become more aware of the additional legislation and how it can assist them. Secondly, the Council will be able to investigate a wider range of breaches once the RRA comes into effect.

5 Housing Enforcement Policy

- 5.1 As a result of the RRA coming into effect, changes have been made to the Council's Housing Enforcement Policy. This policy is shown in appendix 2.
- 5.2 It is important for Councillors to note that whilst the new powers have been incorporated into the policy, there is no change proposed to the overall approach to enforcement within this area. This will still operate in line with the Councils overarching Corporate Enforcement Policy.

- 5.3 The additional powers simply widen the scope for the Council to take action against poor practice in the PRS and in doing so enable a wider range of investigations to take place for the relevant offences.
- 5.4 Councillors should note the following changes to the policy:
- 4.4: Added to set out that the Renters Rights Act contains statutory obligations for the Council, which it must deliver.
 - 6.1 Informal Action: This section has been revised to better reflect the existing way of working.
 - 7.4 HMOs : This section has been slimmed down as it repeats information that is available the Council's specific policy for HMOs.
 - 7.7 Civil Penalties: The policy has been amended to bring into scope the offences under the Renters Rights Act that can now be considered for a civil penalty.
 - 7.9.2 Grounds for Possession: Information added to outline new powers regarding grounds for possession.
 - Appendix A: The fees and charges written schedule has been removed as this is updated annually as part of the Councils' fees and charges approval process.

6 Civil Penalty Policy

- 6.1 The Council have had the ability to issue civil penalties for a number of years, since the introduction of the Housing and Planning Act 2016. These have been used effectively by the Council to date for the small number of offences for which they were enabled.
- 6.2 The RRA enhances the scope for civil penalties to be issued for offences and there is a clear steer from the Government in the guidance that sets out the expected penalty amounts for these offences.
- 6.3 The graphic below shows how civil penalties have been used as a tool since 2019. Income from civil penalties is ringfenced within the housing enforcement work area and offsets staffing expenses within it.



The average civil penalty amount is just under 5k.

No successful appeals at tribunal.

Payments plans are put in place where appropriate and are managed via debtors.

Where payment is not forthcoming initially, a separate legal process is required in the form of a court authorised charging order.

Recovery when payment is not made can take up to 12 months.

Recovery can result in landlords selling properties or sales being forced upon them.

- 6.4 The new guidance on the issuing of civil penalties under the RRA requires the existing policy at the Council to be revised. The previous approach by Government, for the initial civil penalties brought into effect by the Housing and Planning Act 2016 enabled the Council to issue penalties up to the amount of £30,000. The final amount was then determined by a local policy, which has been in place since 2018. Within this initial approach, the starting point for penalties was at the discretion of the local policy and no direction was given by Government as to the penalty amounts or their starting points.
- 6.5 The RRA revised approach to civil penalties sets out what a starting point for civil penalties should be for each particular offence and has increased the maximum amount to £40,000. It should be noted that the starting points for penalties have increased significantly and in doing so, place clear emphasis

For example, under the previous policy failure to comply with an Improvement Notice had a starting point of £3,000 and was then increased based on the circumstances of the case taking into account the following;

- *Severity of harm or potential harm caused*
- *Number of properties owned or managed*
- *Culpability and track record*
- *Removal of financial incentive*
- *Deterrence and prevention*

6.6 The revised starting point approach implemented by Government is a clear directive to increase the financial penalties and the newly proposed policy adheres to the starting points proposed.

For example, within the Government guidance failure to comply with an improvement notice has a starting point of £25,000 and a maximum of £40,000.

6.7 However, the starting points for civil penalties set out in the guidance provide discretion to the Council to apply an adjustment relating to rental levels varying across the country. For example, the rental income generated by a landlord owning a property in London is far greater on average than one in West Lindsey. At the point of writing this report, the average UK rent was £1,367, whereas in West Lindsey it is £706 [Private rent and house prices, UK - Office for National Statistics](#)

6.8 The revised policy will therefore adopt the starting points provided within Government guidance and enable a 20% increase or decrease based on the harm considerations set out in the policy. After the level of penalty has been established, the average rent reduction will be applied. Worked examples of this approach are shown in section 5 of the civil penalties policy.

6.9 Below is a worked example of for the offence of failing to comply with a Housing Act Improvement notice. There are other worked examples within the revised policy.

Worked Example: A landlord is non-compliant with an improvement notice which seeks to address 3 Category 1 Hazards. The landlord owns 5 properties and has had previous enforcement action taken against them. The tenant is elderly and vulnerable. The rental income received per month is £800.

- 1	2		3	4
Offence specific penalties	Table 3 impact matrix score	Level of penalty	Rental adjustment %	Total
Total for each penalty shown in Table 2, column A £25,000	Low/Moderate	-20%	-42%	Level of civil penalty to be applied £17,400 (maximum £40,000)
	High/Severe	+20%	-£12,600	
Cumulative total: £25,000	£30,000		£17,400	£17,400

- 6.10 This proposed policy is one that has been developed by the Chief Environmental Health Officers group as part of Operation Jigsaw. As there is not going to be a Government set specific policy for the issuing of civil penalties under the RRA the policy is likely to be subject to scrutiny if penalties are appealed to the First Tier Tribunal. Policies may then need to be revised subject to any case law that arises from this. This is common practice and the previous policy was subject to amendment in this manner when it was first introduced, and case law was established.
- 6.11 Within the proposed policy the following should be noted:
- Section 3 (offences) sets out the level of penalty that can be issued under the particular Act for each specific offence.
 - Section 5 sets out the new way of calculating offences with worked examples.
- 6.12 Whilst there is an option for the Council to develop an independent policy there is significant merit in adopting a framework that is likely to be used by a number of other local authorities as it ensures consistency and will provide greater learning over time.
- 6.13 The set starting points and their values set a clear expectation from Government that they expect to see an increase in civil penalty amounts and should also serve as a much greater deterrent for non-compliance. Any income from civil penalties will remain ringfenced for housing enforcement.
- 6.14 The revised policy is set out in appendix 3 of this report.

7 Summary

- 7.1 The Renters Rights Act 2025 brings about a significant change in the private rented sector and with it gives the Council new responsibilities. These responsibilities require the Council to implement a new Housing Enforcement Policy and a new Civil Penalties Policy. This report seeks approval for both of these documents.
- 7.2 The revised Housing Enforcement Policy creates the revised framework which will enable the Council to deliver its new responsibilities. This is shown in appendix 2.
- 7.3 The revised Civil Penalties Policy sets out a new way to calculate civil penalties for offences, which takes into consideration the desire from the Government to increase the number and monetary amount of penalties issued, whilst recognising the regional variation in relation to rental amounts. This is shown in appendix 3.

8 Next Steps

- 8.1 Further documentation and amendment of policies may be needed when phase 2 and 3 of the Act are implemented. These will be brought back

to committee for approval as appropriate, phase 2 is expected to become active before the end of 2026.

- 8.2 A briefing delivered by DASH and EMPO will take place on the 28th of April 2026 at the Guildhall, to which all Members will be invited. Information on this will also go out in the Member and Resident's Newsletter.
- 8.3 The internal officer group will continue to meet and review the impacts after the 1st of May 2026, in order to ensure that they are understood and that any resource gaps can be addressed.