


CHAMBERS


RENTERS' RIGHTS BILL 2025


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 GARDEN COURT CHAMBERS

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RENTERS' RIGHTS BILL 2025: TIMETABLE

- Introduced to Parliament 11 September 2024 following King's Speech 17 July 2024;
- Completed House of Commons 14 January 2025 (including detailed scrutiny in Public Bill Committee Oct – Nov 2024);
- First Reading House of Lords 15 January 2025, Second Reading 4 February 2025, Completed Lords' Committee stage 15 May 2025;
- Lords' Report stage 1, 7 and 15 July 2025: 45 amendments agreed;
- Lords' Third Reading 21 July 2025: two additional amendments;
- Return to Commons 8 September 2025: non-governmental amendments rejected so ping pong? No date as yet for Lords' consideration;
- Probable Royal Assent before end of 2024 – 2026 Parliamentary term (Parliament's term extended to spring 2026).

RENTERS' RIGHTS BILL 2025: EXTENT

England & Wales (but mainly England), save for:

- Clauses 43 – 49 (prohibitions of discrimination in Wales);
- Clauses 50 – 55 (prohibitions of discrimination in Scotland)
- Clauses 136 - 148 (general): England, Wales & Scotland (clause 144).

RENTERS' RIGHTS BILL 2025: USEFUL MATERIALS

- Bill and stages at: [Renters' Rights Bill - Parliamentary Bills - UK Parliament](#);
- *Renters' Rights Bill Explanatory Notes* 11 September 2024;
- *MHCLG Guide to the Renters' Rights Bill*, 16 January 2025;
- House of Commons' Library Briefing *Renters' Rights Bill 2024 – 2025*, 3 October 2024;
- *Renters' Rights Bill Explanatory Notes on Lords Amendments*, 29 August 2025;
- House of Commons' Library Briefing *Renters' Rights Bill 2024 – 2025 Consideration of Lords amendments*, 2 September 2025;
- *Commons Disagreement, Reasons and Amendments in Lieu*, 9 September 2025.

RENTERS' RIGHTS BILL 2025: ESSENTIAL MATERIALS

- Amended text of:
 - Housing Act 1988;
 - Housing Act 2004;
 - Housing and Planning Act 2016;
 - Protection from Eviction Act 1977.

RENTERS' RIGHTS BILL 2025: COMMENCEMENT

- Generally by Regulations by the Secretary of State (clause 144(1));
- Clauses 110 (lead enforcement agency) & 136 – 148 (general) on Royal Assent (clause 144(6));
- Clauses 31– 32 (tenancies that cannot be assured tenancies), 59 (abandoned premises), 109 (duty on local housing authority to report to Secretary of State) 113 – 131 (local authority investigatory powers) two months from Royal Assent (clause 144(5));
- Clauses 43 – 49 (prohibition of discrimination in Wales) by Regulations made by Welsh Ministers (clause 144(3));
- Clauses 50 – 55 (prohibition of discrimination in Scotland) by Regulations made by Scottish Ministers (clause 144(4)).

RENTERS' RIGHTS BILL 2025: COMMENCEMENT

- RRB makes substantive changes both to new tenancies and to existing tenancies (see below).
- Government's intention is to commence both simultaneously:
 - *"To end the scourge of section 21 evictions as quickly as possible, we will introduce the new tenancy for the private rented sector system in one stage. On this date the new tenancy system will apply to all private tenancies - existing tenancies will convert to the new system, and any new tenancies signed on or after this date will also be governed by the new rules. Existing fixed terms will be converted to periodic tenancies, and landlords will no longer be able to serve new section 21 or old-style section 8 notices to evict their tenants. This single date will prevent a confusing 2-tier system, and give all tenants security immediately."*
 - *"We will work closely with all parts of the sector to ensure a smooth transition to the new system, and will provide sufficient notice ahead of implementation. The bill makes specific provision to ensure a smooth transition and avoid unnecessary 'cliff edges', for example maintaining the validity of rent increases and notices served prior to implementation."* (MHCLG guidance).

RENTERS' RIGHTS BILL 2025: TRANSITIONAL

- Sched 6 contains transitional provisions. Some of those are:
 - Para 3 where s.21 notice given & landlord has requested Court issues claim form before commencement date and proceedings have not begun or have not been concluded: tenancy remains AST;
 - Para 4 where s.21 notice given before commencement date, landlords have up to three months to request Court issue claim form & tenancy remains AST;
 - Para 6: no effect on rent increases before commencement date;
 - Para 7: landlord must give tenant information in writing about changes made by RRB as required by Regulations within one month from commencement date (note complexities);

RENTERS' RIGHTS BILL 2025: ASSURED TENANCIES:

RRB operates by substantial amendments to Housing Act 1988 (HA 1988);

- Assured shorthold tenancies are abolished (clause 1 inserting new s.4A into HA 1988 and clause 2);
- Fixed term tenancies abolished unless:
 - more than 21 years or
 - between 7 and 21 years if entered into before two months' after Royal Assent (clause 1 and 31 inserting new provisions into HA 1988, Sched 1 tenancies which cannot be assured tenancies);
- All assured tenancies of 21 years or less are periodic with rent periods not exceeding a month (clauses 1 and 31(1) NB transitional provisions for tenancies of between 7 – 21 years entered into before RRA Royal Assent or within 2 months);
- Clause 32(2) amends Sched 1 HA 1988 to insert that tenancies granted to students where the landlord is a member of a specified housing management code of practice are not assured tenancies;
- Clause 2 repeals ss.6A, 19A – 23 HA so s.21 HA 1988 repealed;
- Existing assured shorthold tenancies will become s.4A HA 1988 assured tenancies on commencement date (clauses 1 and 145).

RENTERS' RIGHTS BILL 2025: NEW AND AMENDED — GROUND FOR POSSESSION —

Clause 3 & Sched 1 RRB amend Sched 2 HA 1988:

- Mandatory grounds:
 - Amended Ground 1: occupation by landlord or family;
 - New Ground 1A: sale of dwelling house;
 - New Ground 1B possession after rent-to-buy agreement;
 - Amended Ground 2: sale by mortgagee;
 - New Ground 2ZA: possession where superior lease ends;
 - New Ground 2ZB possession where superior lease of over 21 years has ended or is due to end;
 - New Ground 2ZC: possession by superior landlord;
 - New Ground 2ZD: possession by superior landlord where superior lease was over 21 years;
 - REPEALED: Ground 3 holiday accommodation;
- Cont'd.

RENTERS' RIGHTS BILL 2025: NEW AND AMENDED — GROUND FOR POSSESSION —

- Mandatory grounds cont'd:
 - Amended Ground 4: student accommodation;
 - New Ground 4A: possession of student accommodation for occupation by students (NB Lords' amendment on definition of student accommodation not accepted by Commons);
 - Amended Ground 5: Ministers of religion;
 - New Ground 5A: occupation by agricultural worker (note amended to include self-employed);
 - New Ground 5B: occupation by person who meets employment requirements;
 - New Ground 5C (previously Ground 16): end of employment by landlord;
 - New Ground 5D: end of employment requirements where landlord is private registered provider of social housing;
 - New Ground 5E: occupation as supported accommodation & tenant did not enter tenancy for purpose of receiving care, support or supervision;
 - New Ground 5F: occupied as supported accommodation & no longer viable or suitable for tenant;
- Cont'd...

RENTERS' RIGHTS BILL 2025: NEW AND AMENDED — GROUNDS FOR POSSESSION

- Mandatory grounds cont'd:
 - New Ground 5G: tenancy granted for homelessness duty under s.193 Housing Act 1996;
 - New Ground 5H: landlord registered provider of social housing or charity & stepping-stone accommodation;
 - Amended Ground 6: redevelopment & alternative accommodation (unless tenancy not granted through council's allocation scheme);
 - New Ground 6A: alternative accommodation provided by social landlord during redevelopment;
 - New Ground 6B: compliance with enforcement action NB power for Court to order landlord to pay tenant compensation (clause 3(5) inserting new s.11A into HA 1988);
 - Amended Ground 7: death of tenant;
 - Amended Ground 8: three months or 13 weeks' arrears at time notice served & date of hearing, but not arrears due to unpaid UC/HB (if tenant entitled);
 - Lords' amendment: new Ground 8A property required for carer for landlord or landlord's family rejected by Commons.

RENTERS' RIGHTS BILL 2025: GROUNDS FOR — POSSESSION

- Discretionary Grounds:
 - Grounds 9, 10, 11, 12, 13, 14A, 14ZA, 15 & 17 remain;
 - Ground 14: amendments to relevant factors for ASB (clause 5 amending s.9A HA 1988);
 - New Ground 18: supported accommodation & tenant refusing to engage with support.

RENTERS' RIGHTS BILL 2025

NOTICE PERIODS: very useful table at clause 3(3)(e) inserting new s.8(4AA) into HA 1988.

- Four months for Grounds 1, 1A, 1B, 2, 2ZA, 2ZB, 2ZC, 2ZD, 4A, 6, 6A, 6B;
- Two months for Grounds 5, 5A, 5B, 5C, 5D, 5H, 7, 9;
- Four weeks for Grounds 5E, 5F, 5G, 8, 10, 11, 18;
- Two weeks for Grounds 4, 7B, 12, 13, 14ZA, 14A, 15, 17;
- None for Grounds 7A or 14.

RENTERS' RIGHTS BILL 2025: DEFENCES GENERALLY

- Notice: for prescribed period & in prescribed period (Clause 3 amending s.8 HA 1988);
- Failure to protect tenancy deposit (clause 26 amends ss212 -215 HA 1988): applicable to all grounds except Grounds 7A or 14: NB amended s.215 HA 1988 provides that Court may make a possession order only if requirements of tenancy deposit scheme have been complied with (although no need to do so within specified period) where tenancy deposit was paid. Consider in full. Change from proscription that no s.21 notice can be given.
- Landlord in breach of requirement to ensure that active landlord entry & active dwelling entry on landlord & dwelling databases (clause 90 inserting new s.7(5ZC) HA 1988, for all grounds except Grounds 7A or 14);
- For rent arrears: valid increase of rent by way of s.13 HA 1988 notice?
- Is the Ground made out?

RENTERS' RIGHTS BILL 2025: GROUND ONE

Mandatory ground: Occupation by landlord or family:

- tenancy began at least 1 year before relevant date (para 26 Sched 1 RRB inserts new Part 5 into Sched 2 HA 1988 containing interpretation provisions: relevant date is date specified in notice for all grounds except 2ZA, 2ZB & 5F);
- Requirement for occupation as only or principal home by landlord or specified members of family:
 - Spouse/civil partner/cohabitee;
 - Parent/grandparent/sibling/child/grandchild
 - Child of landlord's spouse/civil partner/cohabitee;
 - Half blood relationships treated as whole blood;
 - Lords amendment to include carers rejected by Commons.
- Evidence required?
- No power to postpone date for possession beyond 14 days unless satisfied exceptional hardship: maximum period 6 weeks (s.89 HA 1980).

RENTERS' RIGHTS BILL 2025: GROUND 1A

- **Mandatory ground: sale of dwelling-house:**
 - tenancy began at least 1 year before relevant date (date specified in notice) or property subject to compulsion acquisition;
 - Landlord intends to sell or to grant lease of more than 21 years;
 - Cannot be used by non-profit registered providers of social housing & other social landlords.
 - Evidence required?
 - No power to postpone date for possession beyond 14 days unless satisfied exceptional hardship: maximum period 6 weeks (s.89 HA 1980).

RENTERS' RIGHTS BILL 2025: RESTRICTION ON RE- LETTING FOR GROUNDS 1 AND 1A:

Clause 13 inserting s.16E into HA 1988:

“(2) where a relevant person relies on Ground 1 or 1A in Schedule 2 in relation to an assured tenancy, the landlord must not, within the restricted period—

- (a) let the dwelling-house on a tenancy for a term of 21 years or less, or*
 - (b) permit a person to occupy the dwelling-house—*
 - (i) under a licence to occupy, and*
 - (ii) for monetary consideration.”*
- Similar prohibition on marketing to let (s.16E(3) HA 1988);
 - For “restricted period” defined as date of notice to 12 months from date specified for possession in notice or when possession claim filed (clause 17 inserting s.16M HA 1988);

RENTERS' RIGHTS BILL 2025: RESTRICTION ON RE- LETTING FOR GROUNDS 1 AND 1A:

- Exceptions at s16F HA 1988 (inserted by clause 13) including:
 - Lords' amendment inserting into s.16F HA 1988 that period is six months where Ground 1A was relied on and “*the dwelling house has been demonstrably available for purchase on the open market at a fair price for not less than six months and the landlord has not had any suitable offers to purchase the dwelling house.*” Rejected by Commons.
- Enforceable by local authority by financial penalty or criminal prosecution (clause 15 inserting ss16I and 16J HA 1988).

Renters' Rights Bill 2025: new measures

1. Rent increase disputes

- Under the current 'shorthold' system, most rent increases take the form of landlords simply issuing a new tenancy agreement. As a matter of law, this amounts to 'surrender and re-grant' (*Sable v QFS Scaffolding Ltd* [2010] L&TR 30, recently applied by the County Court in *Sturgiss & Anor v Boddy & Ors* [2021] EW Mic 10 (CC))
- The new system will force landlords to increase rent by serving a statutory notice under section 13 HA 1988, which tenants may challenge in the Tribunal, and the new rent is capped at the 'open market' level (clauses 6 – 7 amending s.13, inserting new ss.13A & 13B, amending s.14 and inserting new ss.14ZA, 14ZB HA 1988).
- There is likely to be a very significant increase in Tribunal disputes, but the County Court may (increasingly) have to determine the validity of any rent increases in disputed arrears cases.

Renters' Rights Bill 2025 – new measures

2. Prohibition on excessive 'rent in advance'

- One month's rent in advance will be the maximum.
- Clause 8 inserts a new section 4B into HA 1988: excessive 'rent in advance' clauses will be void and unenforceable for most tenancies.
- Clause 9 inserts new provisions into the Tenant Fees Act 2019, prohibiting various behaviours such as 'inviting' or 'encouraging' unlawful payments.
- To be enforced by local authorities under the existing Tenant Fees Act mechanisms (but it may also arise in disputed arrears cases in the County Court).
- Lords' amendment excluding tenancies entered into before commencement date or other excepted tenancies accepted by Commons.

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Renters' Rights Bill 2025 – new measures

2. Permission to keep a pet

- Clause 11 inserts new sections 16A-16C into HA 1988.
- A new implied contractual right to request in writing permission to keep a pet, which landlords may not 'unreasonably refuse'.
- Lords' government amendment removed associated provision for pet insurance;
- Lords amendment inserted pet damage deposit if required by landlord, rejected by Commons.

Renters' Rights Bill 2025 – new measures

4. Prohibitions on discrimination

- Part 1, chapters 3 (England), 4 (Wales) and 5 (Scotland).
- A new civil penalty regime, which sits alongside the existing private law torts (EqA 2010).
- A prohibition on preventing tenants from renting or inquiring about a property on the basis that they have a child (living with them or visiting them) or claim welfare benefits.
- Such terms would not have no effect (clause 35 England)
- Landlords would have a 'proportionality' defence.
- Enforced by local authorities by way of fine (clause 40 England).
- NB Lords' amendment provides that standard of proof is "beyond reasonable doubt" rather than "balance of probabilities". Rejected by Commons.

5. Prohibition on 'bidding wars'

- Clause 56 prohibits landlords/agents from advertising a property unless it has a specified rent, and from 'inviting, encouraging or accepting' a higher rent.
- Exception for simple 'to let' signs at the property itself.
- Local authority enforcement (clause 57).
- NB Lords' amendment provides that standard of proof is "beyond reasonable doubt", rejected by Commons.

Renters' Rights Bill 2025 – new measures

6. Fines for unlawful eviction

- Clause 58 inserts new s.1A into Protection from Eviction Act 1977, permitting a local authority to fine (instead of prosecuting) where it is satisfied (to the criminal standard) that a landlord is guilty of an offence under the Protection from Eviction Act 1977.
- Standard of proof is “beyond reasonable doubt” (as alternative to prosecution).
- Does not appear to affect a tenant’s right to bring a separate civil claim.

7. ‘Awaab’s Law’ in the PRS

- In the social housing sector, the Government is in the process of imposing fixed time periods for landlords to remedy statutory hazards: draft Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 intended to come into force on 27 October 2025 (& subsequent Regulations in 2026 & 2027).
- RRB expands this principle to the private rented sector by amending s.10A Landlord & Tenant Act 1985 (Clause 60 RRB tenancies) and s.10B L&TA 1985 (Clause 61 RRB licences).
- The timescales themselves will be set out in regulations.
- Enforceable by tenants as breach of tenancy & Housing Ombudsman & RSH (whether in breach of consumer standards).

Renters' Rights Bill 2025 – new measures

8. PRS ombudsman

- Part 2, chapter 2 creates powers to designate one or more ‘landlord redress scheme’.
- The intention is there will only be one: a new Ombudsman in the PRS.
- The Ombudsman’s role will be to investigate complaints, and there is a new power to require landlords to belong to an Ombudsman scheme.
- Enforced by a system of local authority fines for non-compliance.

9. Landlord database

- Similar to the existing system in Scotland, Part 2 chapter 3 creates a statutory framework for a ‘private rented sector database’.
- Most details regarding the contents of the database will be set out in regulations.
- But clause 83 requires local authorities to record banning orders, offences and financial penalties.
- The Bill also makes it clear that the database will have an entry in respect of every PRS property.
- Important: database breaches are statutory defence to possession claims (clause 90).
- Also financial penalties imposed by local authorities “beyond reasonable doubt” (clause 91) & criminal offences (clause 92).

Renters' Rights Bill 2025 – new measures

10. Decent homes standard

- Part 1 of the Housing Act 2004 governs housing conditions by reference to 'hazards'.
- In private law, that system is already incorporated into tenancy agreements under the Homes (Fitness for Human Habitation) Act 2018 amending L&T Act 1985 s.10.
- Clause 100 aims to expand the role of local authority enforcement of housing standards by:
 - Empowering the Secretary of State to define a 'decent homes standard' (inserting new s.2A Housing Act 2004); and
 - Applying it to:
 - dwellings or HMOs let under assured, assured agricultural or Rent Act 1977 tenancies;
 - supported exempt accommodation (inserting new s.2B Housing Act 2004);
 - Accommodation secured under Part 7 Housing Act 1996 homelessness (amending s.1(4) Housing Act 2004);
 - Accommodation as specified by regulations made by Secretary of State;
 - Lords' amendment: accommodation provided by Ministry of Defence for use as service family accommodation, rejected by Commons
- Empowering local authorities to enforce that standard.

Renters' Rights Bill 2025 – new measures

11. Rent repayment orders

- Clause 102 amends s.40 Housing & Planning Act 2016 so that a rent repayment order can be made against a superior landlord.

12. Enforcement

- Detailed provisions at Part 4. Chapters 2 and 3 provide for enforcement by local housing authorities.
- Chapter 3 extensive investigatory powers on local housing authorities: requiring information, entry without warrant to business premises, requiring production of documents, seizure of documents, entry without warrant or notice of residential premises.

Renters' Rights Bill 2025 – knock-on effects

A boom in housing conditions claims?

- The current system of 'shorthold' tenancies is a huge disincentive to private tenants from bringing a housing conditions claim.
- Research for [YouGov in 2023](#) found that the vast majority (76%) of private tenants have experienced disrepair, but that tenants who complain are 159% more likely to be given a notice ending their tenancy. These claims are currently high risk for the tenants themselves, and their legal representatives.
- Removing the insecurity of the private rented sector is likely to empower tenants to enforce housing conditions covenants, just as many social tenants already do.
- In addition, the nature of repairing rights will be enhanced by Awaab's law, which is significant because [14% of privately rented](#) homes suffered from a 'category 1 hazard' in 2021.

Renters' Rights Bill 2025 – knock-on effects

An increase in housing possession hearings?

- It appears that all claims for possession will be listed for CPR 55.8 hearing:
 - “(1) At the hearing fixed in accordance with rule 55.5(1) or at any adjournment of that hearing, the court may –
 - (a) decide the claim; or
 - (b) give case management directions.
 - (2) Where the claim is genuinely disputed on grounds which appear to be substantial, case management directions given under paragraph (1)(b) will include the allocation of the claim to a track or directions to enable it to be allocated.”
- Duty solicitors need to be familiar with & consider potential defences – outlined here and they emerge.