



Renters' Rights Bill

For over 5 years now, successive governments have pushed the topic of rental reform. Plans were first announced by the [Conservatives](#) in their 2019 manifesto and in May 2022, the Renters (Reform) Bill ("the Reform Bill") was finally presented. Little progress was made, with the Reform Bill eventually being shelved ahead of the 2024 general election.

Now it is Labour's turn to present their version of a reformed rental scheme with the Renters' Rights Bill ("the Bill"). Whilst many of the main provisions are similar, there are some significant differences. Of course, this not yet the law but is going through the processes to its final stages.

Similarities between the Bills

Removal of "no-fault evictions"

The main headline, as with its predecessor, is the abolishment of so called "no-fault evictions" under section 21 of the Housing Act 1988 ("[the Act](#)"). Currently a landlord can evict a tenant without providing a reason by giving 2 months' notice, provided the notice is served correctly and all the criteria are met. The Bill instead provides that landlords will now have to rely on the grounds set out in section 8 of the Act, such as rent arrears or anti-social behaviour if they wish to evict a tenant. The list of mandatory grounds for possession under section 8 will be updated to allow a landlord to sell or move into the property, and the notice periods will also be increased.

Fixed-term assured tenancies

Fixed-term assured tenancies will still be removed, with all tenancies becoming periodic. However, the Bill is to allow tenants to serve a Notice to Quit straight away if they wish to leave, by providing 2 months' notice, whilst a landlord in some cases will have to give 4 months' notice if they require the property back based on a section 8 ground (unless serious rent arrears is being relied on in which case the notice period will be 4 weeks but the period for rent arrears needs to be 3 months). Some grounds for possession, notably 1 and the new 1A, cannot be used for the first 12 months of a new tenancy.

Tenants will have no minimum period for giving notice, meaning that if a tenant wishes the tenancy can be as short as the 2 months' notice period.

Tenant discrimination

Currently, many landlords will refuse to rent to people with children or who receive benefits, the Bill will still look to stop this. Landlords may still be able to refuse those who they believe won't be able to afford the property, however children and the receipt of benefits cannot be used to justify this.

Pets

The Bill's reforms also give more power to pet owners! Like the Reform Bill, tenants would have the right to request a pet, which a landlord must not unreasonably refuse. The Bill however does decrease the time limit a landlord has to reply, from 42 days to 28. The Landlord will still be able to request pet insurance to protect against any damage caused.

What's new?

Rental increases

The Bill will still look to limit the ways in which a landlord can increase rent. As with the Reform Bill, landlords will all have to follow the same process and serve a "[section 13 notice](#)" which sets out the new rent. Under the old proposals, a landlord only had to give 1 months' notice, but the new proposals require at least 2 months to do this, and if a tenant believes the proposed rent increase exceeds market rate, they can then challenge this at the First-tier Tribunal ("the Tribunal"), who will determine what the market rent should be.

Changes to the Tribunal have also been proposed so that tenants feel more confident in making challenges where they see fit. The Tribunal will be given the power to defer rent increases by up to a further 2 months.

Rent review clauses will also not be permitted.

Awaab's law

The tragic death of 2-year-old Awaab Ishak demonstrated the need for reform regarding living conditions. The Social Housing ([Regulation](#)) Act 2023 ensured that social landlords had to investigate hazards within 14 days and rectify them within 7. There is also the requirement that emergency repairs are made within 24 hours. Currently these measures only apply to social housing, but the Bill will extend this to privately rented homes as well.

Rental Bids

The Bill will also look to stop the practice of bidding on rental properties. Whilst it will not introduce rent controls, it will make it a requirement for the rent for the property to be published and landlords will be prohibited from accepting or encouraging bids over this price.

Grounds for Eviction

The Reform Bill included several new grounds for eviction under [section 8 of the Housing Act](#) to lessen the impact of the removal of section 21 evictions. Some of these have been carried over into the Bill, though not all, and some have been amended. As previously mentioned, the proposed mandatory ground 1A, which allows for a landlord to take possession for the purposes of selling the property, will only be able to be relied upon 12 months after the commencement of the tenancy. Other changes include restricting the new mandatory ground 4A to students in HMO's as well as various changes to the notice periods required to gain possession.

Looking forward

The Bill had its second reading on 9 October 2024 and is currently in the Report Stage. The Government hope that it will come into effect by the summer of 2025 and that it won't suffer the same delays as its predecessor.

Our [specialist Property Litigation team](#) advises landlords and tenants across the country on all aspects of their tenancies. If you have any questions regarding the Renters' Rights Bill or property litigation in general, you can get in touch at online.enquiries@LA-law.com.