



DASH Services

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The Renters' Rights Bill

A brief overview for Private Landlords

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Please note: This is not a lobbying Session

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Introduction

- The biggest legislative change for Private Landlords since 1988 !
- Adopts many of the proposed content of the Rental Reform Bill by the previous government
- Government looking to get Bill onto statute books quickly - likely by late spring/early summer next year

Likely timings

(subject to confirmation)

- House of Lords –January 2025
- Royal Assent – Spring 2025
- Implementation – Late spring or early summer 2025 in phases
- A need for landlords and letting agents to prepare for these legislative changes well in advance!
- Awareness & training plus new docs/systems

Main key provisions in the Renters' Rights Bill

1. Abolition of Section 21
2. Conversion of AST agreements into Periodic Assured Tenancies
3. Changes to Section 8 Grounds for Possession
4. New Rent Increase procedures
5. Ban on rent bidding
6. Right for tenants to request consent for a pet
7. Mandatory membership of approved landlord dispute resolution service
8. Private rented sector database (aka Rented Property Portal)
9. No bans on children or benefit claimants

Courtesy of The Independent Landlord Blog



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No More Section 21

- These are the 'No Fault' evictions
- Used by many landlords (even when perceived fault)
- Likely to be early 2025
- Likely to come in for existing and new tenancies on the same day (i.e. not phased in) to avoid confusion
- Rely on section 8 notices instead

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Conversion of ASTs

into Periodic Assured Tenancies

- End of any fixed term – no minimum term from day 1 of new tenancies (and existing tenancies from commencement date) *i.e. a tenant could move in on day 1 and one day 2 give you notice to leave 2 months later.*
- New agreements for existing tenancies from commencement date
- No concessions for student tenancies (Unipol will tell you more)
- Tenants must give at least 2 months' notice to end tenancy
- A rent period can be no more than 1 month – no rent payments further in advance can be taken (*although David Smith did recent blog Q'ing this*)

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Changes to Section 8 Mandatory Grounds

- “Robust grounds for Possession where good reason to take property back”
- To obtain possession at court – must have protected any deposit or returned deposit unless using ASB Grounds 7a or 14
- Changes to some notice periods planned

New Mandatory Ground 1A

Landlord can give 4 months notice to tenants if wish to sell the property but **not** in first 12 months of tenancy

Cannot re-let a property under this ground for 16 months from date of notice

Similar principles for existing Ground 1 (Occupation by Landlord/Family Member)

Section 8 Grounds Changes

Mandatory Ground 8 – Serious Rent Arrears:

- Tenants will need to have at least 3 months of rent arrears (*in place of current 2 months*) both when notice is served and at date of hearing
- Notice period for this ground extends from 2 weeks to 4 weeks

Discretionary Ground 14 – Anti Social Behaviour

- Still no stated notice period but possession order cannot be implemented by court until at least 2 weeks after service of S8 Notice
- New criteria for consideration for ASB possession to be added
 - Has the person co-operated with the landlord?
 - If an HMO regard must be had to the effect on other occupiers

New increasing rent during a tenancy

- From Royal Assent can only increase rent every 12 months
- Must use Section 13 Notice.
- At least 2 months advance notice of any proposed rent increase to expire at end of a rent period
- Tenants will be able to challenge a Section 13 Notice at FTT which will have power to reduce rent increase if above market value (not increase)
- Free of charge to tenant
- Any referral to FTT will delay rent increase until tribunal has issued judgement – no backdated increased rent will be ordered!
- Increase could be further delayed for a further 2 months in any case of undue hardship



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Other Key Provisions

- **Advertised rent for a new tenancy** will be the maximum rent that can be paid by new tenants. Cannot accept or encourage offers of a higher rent above this.
- **Right to request to have a pet** in the property
 - cannot be refused unless landlord has a good reason BUT does not apply to applicants so can advertise “no pets”
 - Landlord must respond to above request within 28 days
 - Tenants have right of appeal to Redress provider/Ombudsman or FTT
 - Landlords can require tenants to have proof of pet insurance or reimburse landlord for a specific additional pet insurance policy

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Other Key Provisions

- **Landlord Redress Scheme** – Mandatory for landlord to have membership prior to marketing a property to let (Even if using a letting agent)
- **PRS Database (Property Portal)** – Landlords legally obligated to register themselves and rental property on database – fees payable
- **Bans on Children or Benefit Claimants** – illegal to have blanket bans. Also extends prohibition to mortgage and insurance agreements



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Don't Panic, Plan Carefully & Keep yourself up to date

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