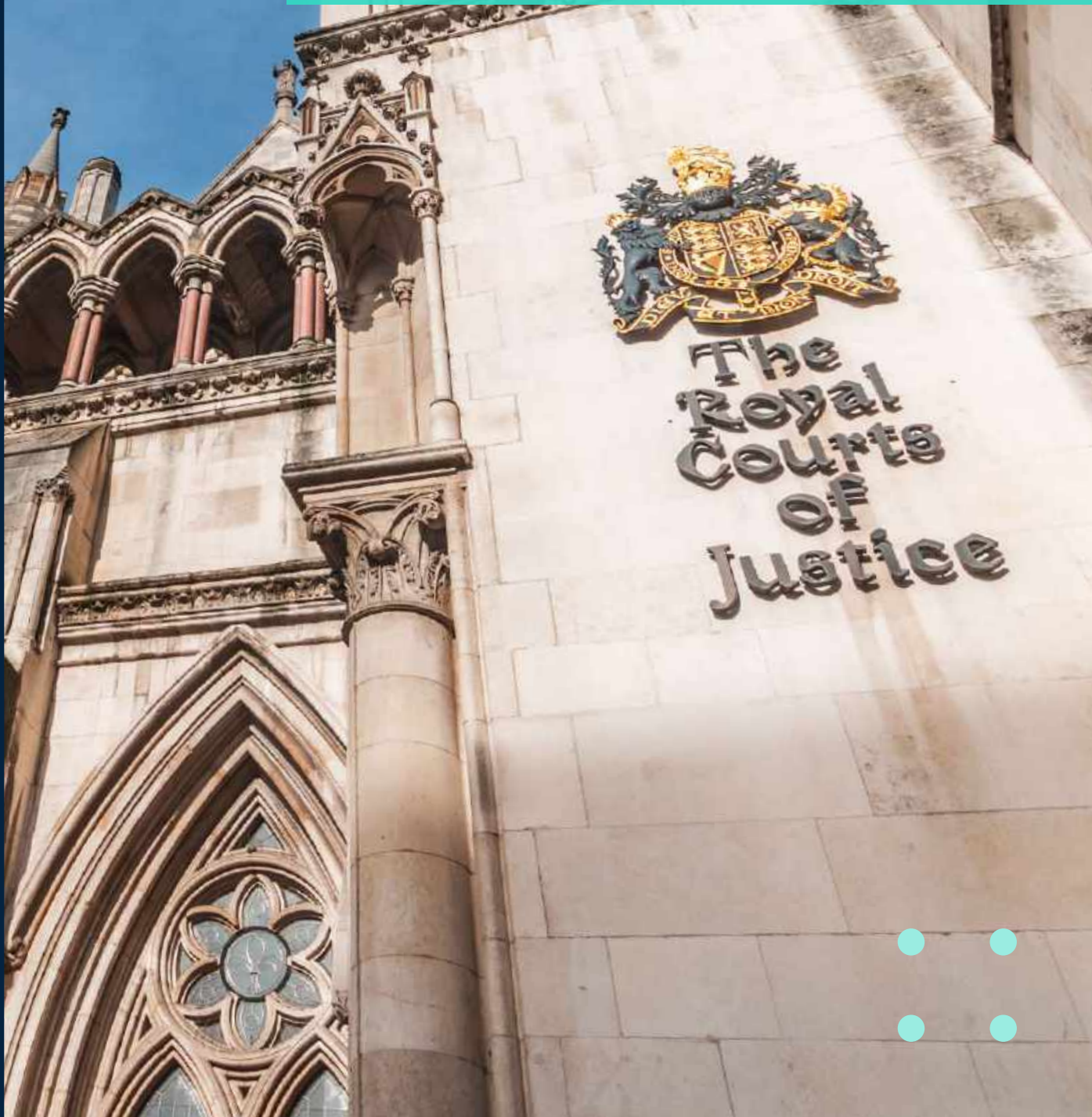


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Your guide to the

# RENTERS (REFORM) BILL



2023



# Contents

YOUR GUIDE TO THE RENTERS (REFORM) BILL

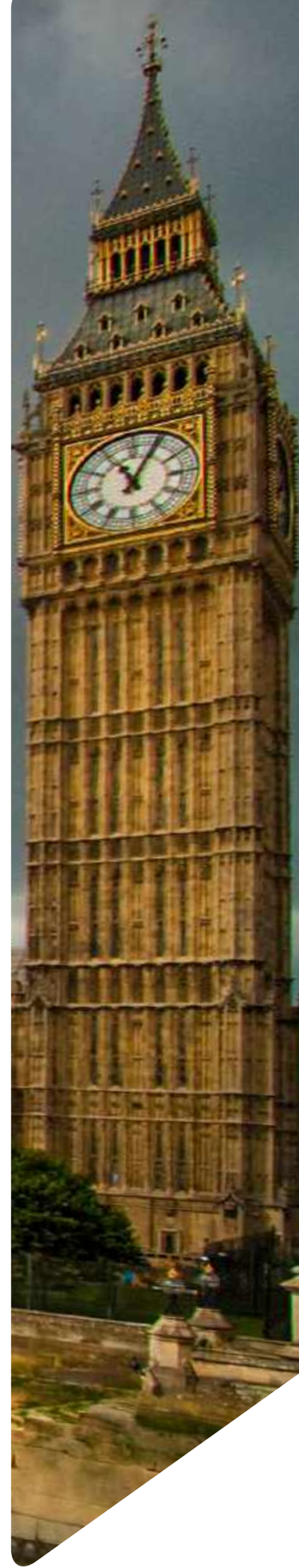


<b>INTRODUCTION</b>	<b>3</b>
<b>TIMESCALES AND IMPLEMENTATION</b>	
<i>An overview of how the bill has developed and the processes it must go through to become law.</i>	<b>6</b>
<b>CHAPTER 1: ABOLISHING SECTION 21 AND CREATING A SINGLE SYSTEM OF PERIODIC TENANCIES</b>	
<i>The bill outlines an end to “no fault” evictions and assured shorthold tenancies.</i>	<b>10</b>
<b>CHAPTER 2: STRENGTHENING SECTION 8</b>	
<i>These proposals aim to make it easier for landlords to regain control of their properties when section 21 is outlawed.</i>	<b>13</b>
<b>CHAPTER 3: PETS IN LETS</b>	
<i>The government will introduce new regulations for tenants who own pets, and more ways for landlords to recoup costs in case of damages.</i>	<b>20</b>
<b>CHAPTER 4: A NEW OMBUDSMAN FOR PRIVATE LANDLORDS</b>	
<i>The bill sets out plans for a new redress scheme that landlords will have to join.</i>	<b>23</b>
<b>CHAPTER 5: A NEW PROPERTY PORTAL</b>	
<i>A government-owned and managed portal that will act as a register for landlords.</i>	<b>27</b>
<b>CHAPTER 6: ENFORCEMENT AND PENALTIES</b>	
<i>The consequences for landlords of not complying with the regulations under the Renters (Reform) Bill.</i>	<b>30</b>
<b>OTHER GOVERNMENT COMMITMENTS FOR THE PRIVATE RENTED SECTOR</b>	
<i>Other government priorities for the private rented sector, including bringing in the Decent Housing Standard.</i>	<b>34</b>
<b>THE LONG-TERM IMPACT OF THE RENTERS (REFORM) BILL</b>	
<i>How have the experts reacted to the reforms?</i>	<b>36</b>

# INTRODUCTION

**T**he government introduced the **English Renters (Reform) Bill** to parliament in **May 2023**. The wide-ranging reforms have been dubbed **"the biggest shake-up of the private rented sector in 30 years."** The bill must now go through **parliamentary process before it becomes law.**

This guide is written to help landlords and letting agents understand the intricacies of the **Renters (Reform) Bill**. We will break down the key areas of the bill - from the abolition of section 21 and assured shorthold tenancies to the introduction of a new property portal and redress scheme.





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There are positive points to celebrate in the bill when it comes to tenants' rights. And we've seen some softening of areas that were giving landlords major concerns – such as the ability to evict anti-social tenants or those who consistently miss rental payments. **But we can't hope to sustainably reform and strengthen the lettings industry without meaningfully addressing the structural issues facing the market.**

Right now, all the anecdotal evidence points to a rising number of landlords deciding to reduce their stake in the market or exit completely. **This, combined with a chronic lack of new rental homes being built, is creating a supply and demand issue that is driving up rental prices,** creating despair for tenants seeking new homes, and resulting in market conditions which this bill hasn't been designed to fix. I think there are also valid concerns around whether the courts will be able to cope with the rise in cases this bill will likely create, even with increased digitisation.

The government should not see the publication of this legislation as a job done. It should be the **first step in a longer line of urgent changes that are needed. A healthy rental market requires empowered, protected tenants as well as fair-minded, incentivised landlords in order to function.** Any legislation that addresses one without the other won't make the difference it needs to."

**Oli Sherlock**  
**Director of Insurance, Goodlord**





It's encouraging that some of the proposals that were giving landlords huge grounds for concern, such as rules around the eviction of anti-social tenants and plans to introduce periodic tenancies, have been re-evaluated. **And there's no doubt that tenants' rights will be given a welcome boost by these reforms.**

However, lots of unknowns remain and it looks like the industry will continue to operate on a mixture of confirmation and speculation until the final version of the bill is shared. **The sooner this uncertainty can be brought to an end the better**, as agents and landlords need time to understand every detail of the legislation and update their operations accordingly."

**Tom Goodman**  
**Managing Director, Vouch**



*This e-book is intended as a guide only, and does not constitute legal advice.*

*For more information about the Renters (Reform) Bill, visit [gov.uk](https://www.gov.uk) and [publications.parliament.uk](https://publications.parliament.uk).*

*E-book first published in May 2023.*

# TIMESCALES AND IMPLEMENTATION

**T**he Renters (Reform) Bill has been long expected but still must go through a lengthy parliamentary process.

Although Michael Gove indicated in an interview with the BBC that he wanted the reforms to go through “as soon as possible”, the average time to take a bill from proposal to law is around a year.

The government submitted the Renters (Reform) Bill to parliament for its first reading in May 2023. The bill must then go through the House of Commons and the House of Lords before it achieves royal assent and becomes law.

Meanwhile, some reforms outlined in the bill will not be actioned on the day the bill becomes law. For example, the government has committed to introducing a new ombudsman ([page 23](#)) “as soon as possible after royal assent,” but does not provide indicative timescales of whether this means days, weeks, or months after.



Similarly, some reforms will take part over a longer period of time - such as moving all tenancies from fixed term to periodic. This will be in two stages and will take at least 18 months ([page 12](#)).

In addition, it is also standard for any governmental department - in this case, the Department for Levelling Up, Housing and Communities - to review a bill three to five years after publication.

“ We are looking at a probable staged roll out of the provisions in the bill. Notwithstanding the legislation going through the parliamentary process - which, even if it has a smooth passage, is a good few months down the line - there will then have to be appropriate implementation and transition times.

We could be looking at the new tenancies and changes to possession process being in place sometime next year, with the portal and redress provisions dependent on how quickly the government can procure the services.”

*Sean Hooker - Head of Redress at the Property Redress Scheme*

## SOURCES USED THROUGHOUT

### THIS PUBLICATION:

- » A Fairer Private Rented Sector, [gov.uk](#)
- » Government introduces landmark reforms to deliver fairer private rented sector for tenants and landlords, [gov.uk](#)
- » Guide to the Renters (Reform) Bill, [gov.uk](#)
- » Model Tenancy Agreement [gov.uk](#)
- » Private Rented Sector Ombudsman: Renters (Reform) Bill, [gov.uk](#)
- » Privately Rented Property Portal: Renters (Reform) Bill, [gov.uk](#)
- » Renting with Pets: Renters (Reform) Bill, [gov.uk](#)
- » Renters (Reform) Bill, [bills.parliament.uk](#)
- » Renters (Reform) Bill: Explanatory notes, [bills.parliament.uk](#)
- » Tenancy Reform: Renters (Reform) Bill, [gov.uk](#)



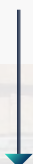
# TIMELINE AND EVOLUTION OF THE BILL

2018



Consultations on *Strengthening consumer redress in the housing market* and on *Overcoming the barriers to longer tenancies in the private rented sector*

2019



Tenant Fees Act 2019 and first mention of the Renters' Reform Bill in the Queen's Speech

*Rogue landlord database reform consultation* and *A New Deal for Renting consultation* - results published 2022

2021



Review of the Decent Homes Standard

2022



Publication of the *Levelling Up white paper* and *A Fairer Private Rented Sector white paper*

Private renters' inquiry and call for evidence

2023

ONWARDS



**Renters (Reform) Bill started in the House of Commons**

- » First reading
- » Second reading
- » Committee stage
- » Report stage
- » Third reading

**Renters (Reform) Bill in the House of Lords**

- » First reading
- » Second reading
- » Committee stage
- » Report stage
- » Third reading

**Final stages**

- » Consideration of amendments
- » Royal assent

**Bill expected to be introduced in stages across England**

- » Six months after royal assent for new tenancies
- » 18 months after royal assent for existing tenancies



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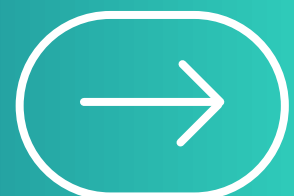
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# Chapter one

YOUR GUIDE TO THE RENTERS (REFORM) BILL

## ABOLISHING SECTION 21 AND CREATING A SINGLE SYSTEM OF PERIODIC TENANCIES

In the **Renters (Reform) Bill**, the government confirmed its plans to abolish section 21 in England. This was a widely expected policy from the bill that was first set out in the Queen's speech in 2019, and reaffirmed in the government's 2022 [A Fairer Private Rented Sector white paper](#).

Meanwhile, the bill outlines proposals to simplify existing tenancy structures. Instead of fixed-term tenancies, all rented properties will move to a singular system of rolling contracts.

### THE CURRENT SITUATION

In England, most tenancies in the private rented sector are classified as assured shorthold tenancies (ASTs). This is usually under a fixed-term tenancy agreement, where a tenant is liable to pay the rent for a predetermined period of time.



Usually after the end of the tenancy, the landlord and tenant can either agree to renew the tenancy for another defined period of time or they will move onto a rolling, periodic contract.

Periodic contracts currently require a tenant to give one month's notice. However, landlords are also able to end a periodic tenancy with two months' notice by using section 21. It is often dubbed as a "no fault" eviction, as a landlord is not required to provide a reason for evicting a tenant.

### WHY IS SECTION 21 BEING ABOLISHED?

The government found that section 21 evictions led "some tenants to feel reluctant to challenge poor standards due to risk of eviction without reason."

Dan Wilson Craw, Acting Director of Generation Rent, further touched upon this on the publication of the bill. He said: "Arbitrary section 21 evictions make it impossible for tenants to put down roots and report problems about their home with confidence.

"Abolishing them will take away much of the stress of renting and improve communication and trust between tenants and landlords."

### WHY ARE TENANCIES BECOMING ASSURED TENANCIES?

The 2022 *A Fairer Private Rented Sector* white paper highlighted the inflexibility of assured shorthold tenancies, which don't allow tenants to easily move homes.

Although break clauses are currently one way to balance this inflexibility, this can result, according to the white paper, in tenants being "locked into unsuitable, unsafe, or unaffordable housing."

The government also highlighted one of the reasons for removing assured shorthold tenancies was the cost to landlords of renewing a tenancy on a yearly basis.

### What are the exceptions to periodic tenancies?

- ✓ Purpose-built student accommodation
- ✓ Temporary accommodation
- ✓ Supported housing

### WHAT WILL HAPPEN NEXT?

The bill simplifies tenancy structures by transitioning all tenancies to assured or periodic, with the rent period to not go over one month. This means a tenancy would only end if a tenant chooses to leave or if the landlord has a valid reason to evict a tenant.

After section 21 is abolished, landlords will need to provide their tenants with a "reasonable" reason for ending the tenancy - for example, breach of contract or wanting to sell the property. They can do this under strengthened section 8 rules ([see chapter 2, page 13](#)).

Landlords or their agents will also need to provide a written statement of the tenancy terms, setting out basic information and the responsibilities of all parties involved.

### WHAT PROTECTIONS ARE THERE FOR LANDLORDS?

Section 8 is being strengthened to allow landlords to be able recover their property, in certain circumstances. This includes cases of evicting a tenant on the basis of anti-social behaviour, and if a landlord wished to sell their property or allow a close family member to move in.

“ [The bill will ensure that tenants are] protected from the very small minority of rogue landlords who use the threat of no-fault eviction to silence tenants who want to complain about poor conditions.”

*Michael Gove - Secretary of State for Levelling Up, Housing and Communities*

### WHAT ABOUT STUDENTS?

The Renters (Reform) Bill confirms that all purpose-built student accommodation will be exempt from these changes “as long as the provider is registered for government-approved codes.”

This exception will still enable universities to let accommodation to visitors and non-students during the academic holidays; for example, for conference guests during the summer months.

Although not mentioned explicitly in the bill itself, the white paper outlined that students that rent privately will also move to the single periodic system.

In the 2022 white paper, the government stated that excluding students renting privately would be “challenging for landlords and tenants to understand their rights”, due to the “diversity of student households.”

## TIMELINES AND IMPLEMENTATION

The government’s guide to tenancy reform shares that the changes will be implemented in **two stages**.

### FIRST IMPLEMENTATION DATE

The government will provide at least six months’ notice before all tenancies move into the periodic system. This date will depend on when the bill receives royal assent and when the court system is ready to implement the changes.

### SECOND IMPLEMENTATION DATE

This date will take place at least 12 months after the first implementation date, to be confirmed by the Home Secretary. At this point, all existing tenancies will transition to the new system. After this date, landlords will only be able to use section 8 grounds to evict tenants.



1

2



# Chapter two

## STRENGTHENING SECTION 8 GROUNDS

The Renters (Reform) Bill highlights the government's plans to strengthen the grounds for eviction under section 8 of the Housing Act 1988. Goodlord's *State of the Lettings Sector 2022 report* indicated that abolishing section 21 would be the most contentious proposal of the bill, with 87% of landlords and 79% of letting agents being "concerned" about the impact of this reform.

The government's changes to section 8 acknowledge this concern, stating in its *Tenancy Reform* guide that "it is critical landlords have the peace of mind that they can regain their property when their circumstances change or tenants do not fulfil their obligations."

### THE CURRENT SITUATION

A section 8 notice gives a landlord the authority to regain possession of their property under an assured shorthold tenancy. It differs from a section 21 notice, which is commonly known as a "no-fault" eviction (see chapter 1).



This section 8 notice can only be issued if certain criteria are breached by the tenant, or under certain other specified grounds.

### WHAT'S CHANGING WITH SECTION 8 GROUNDS?

With the abolition of section 21, some of the grounds for section 8 will be amended, and new grounds will be created. This will help ensure that landlords can still recover their property.

The bill outlines plans to make it easier for landlords to regain possession of their properties if their tenants are at fault. This includes expediting evictions in cases of anti-social behaviour and introducing new grounds for repeated rent arrears.

However, in some instances, landlords will not be able to apply the grounds within the first six months of the tenancy - for example in instances such as for moving in, selling, or redevelopment of the property.

### HOW WILL LANDLORDS SEEK POSSESSION THROUGH SECTION 8?

The government has outlined that the process to end a tenancy through a section 8 ground will be similar to using a section 21 notice. Landlords will need to give notice to their tenant with the relevant form and with the expected notice period.

The government's *Tenancy Reform* guide further states that if the tenant doesn't leave the property within the required time frame, the landlord will then need to go to court. The landlord must supply evidence that the ground applies to regain possession of the property.

### WILL COURT PROCESSES CHANGE TOO?

Although the court process was not outlined in the bill itself, the government has shared that it is working with the Ministry of Justice and HM Courts and Tribunals Service to help simplify the current court process with a "modern, digital service."

#### What are the main changes to section 8?

- 1 Amended grounds that help landlords to evict a tenant for anti-social behaviour
- 2 New grounds that allow a landlord to evict a tenant for repeated serious rent arrears
- 3 New grounds to allow a landlord to move a close relative into an occupied property

The new grounds (2 and 3) cannot be applied within the first six months of the start of a tenancy. See [pages 15 and 17](#) for further detail on all new changes.



We welcome the government's pledge to ensure landlords can swiftly recover properties from anti-social tenants and those failing to pay their rent. Plans to digitise court hearings will also improve the speed at which legitimate possession cases are processed."

*Ben Beadle - Chief Executive of the National Residential Landlords Association*

## WHAT NEW GROUNDS WILL BE INTRODUCED FOR SECTION 8?

A section 8 notice gives a landlord the ability to regain possession of their property, in certain defined circumstances. The government will introduce new grounds under the Renters' (Reform) Bill, as outlined below.

### MINIMUM NOTICE PERIOD

#### **Grounds 1A and B: Selling the property**

**Two months**

This can be used when the landlord wishes to sell the property. This can't be used if the tenancy has existed for under six months - although an exception can be made if there's a compulsory purchase order in place.

This ground can also apply if a private provider of social housing sells the property under the rent-to-buy scheme, although the provider must wait for the rent-to-buy agreement to expire.

#### **Grounds 2ZA and 2ZB: When a superior lease ends or if a superior landlord gains possession**

**Two months**

This applies when a superior landlord ends a lease under a superior tenancy, or if the superior (or property-owning) landlord seeks possession to end the existing tenancy when they become the direct (or property managing) landlord.

#### **Ground 5A: Agricultural workers**

**Two months**

If the landlord needs the property to house an agriculture worker, whether seasonal or permanent, this ground can be used to gain possession for that purpose, as this is a specific job role that requires round-the-clock access to work.

#### **Grounds 5B, C, and D: Employment related**

**Two months**

Social landlords or private providers of social housing may need to regain possession to offer housing to "key workers" or those in a certain income bracket. It also allows landlords that are housing their own employees to regain possession if their tenants' employment ends.



## MINIMUM NOTICE PERIOD

### **Grounds 5E and F: For occupation as supported accommodation**

**Four weeks**

Supported accommodation is for tenants that need care, support, or supervision. If a property that was previously used as supported accommodation is needed again for that purpose, this new ground will apply.

A similar ground will also apply to ensure that the tenancies are "safe for residents with particular needs, that the support being provided is suitable or to maintain the viability of schemes."

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### **Ground 5G: For tenancies granted for homelessness duty**

**Four weeks**

Sometimes private landlords can offer temporary accommodation to people "owed the main housing duty." It's up to the local authority to end the duty, which is when the landlord can regain possession.

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### **Ground 6A: To allow compliance with enforcement action**

**Two months**

This applies if a tenant takes enforcement action, such as a Banning Order, against the landlord, and the landlord is no longer allowed to let the property.

---

### **Ground 8A: For repeated rent arrears**

**Four weeks**

This ground applies if a tenant doesn't pay at least two months' rent on three different occasions, when they're on a monthly contract. For those that are supposed to pay more frequently, this changes to eight weeks' unpaid rent at least three times. This stops tenants paying a nominal amount to keep it under the threshold for a section 8 to be applicable.



## WHICH GROUNDS WILL BE AMENDED FOR SECTION 8?

The government will amend some of the existing grounds of section 8 under the Renters (Reform) Bill, to enable landlords to regain possession of their property in certain defined circumstances. The key changes are as follows.

### AMENDED GROUNDS FOR POSSESSION

### MINIMUM NOTICE PERIOD

### DISCRETIONARY OR MANDATORY?

#### Ground 1: Moving in

Two months

Mandatory

This ground has been extended to make sure that possession can be gained if the landlords' spouse, civil partner or live-in partner, a close family member, or the child of their partner wanted to live in the property.

The landlord will also still be able to gain possession to live in the property - even if they haven't lived in it before. This can't be used for the first six months of a tenancy.

#### Ground 2: Sale by mortgage

Two months

Mandatory

Under this ground, mortgages will no longer need to have started before the beginning of the tenancy. Tenants also don't need to be told beforehand that the ground could be used.

#### Ground 3: Holiday accommodation [Repealed]

N/A

N/A

The ground for landlords to evict a tenant to let it out for short periods has been repealed.

#### Ground 4: Student accommodation

Two weeks

Mandatory

This ground will change to remove the reference to fixed terms as well as the requirement for landlords to give prior notice to the tenant to use this ground.

**AMENDED GROUNDS  
FOR POSSESSION**

**MINIMUM  
NOTICE PERIOD**

**DISCRETIONARY  
OR MANDATORY?**

**Ground 5: Ministers of religion**

The ground can be used for landlords with properties that normally house a "minister of religion". Landlords will no longer need to tell their tenants that this ground may apply.

**Two months**

**Mandatory**

**Ground 6: Redevelopment**

Courts will now be required to grant possession if the landlord wishes to redevelop the home or part of the building. This can't be applied in the first six months of the tenancy.

**Two months**

**Mandatory**

**Ground 7: Death of the tenant**

Landlords will now have 24 months to start the process, allowing more time for any succession proceedings.

**Two months**

**Mandatory**

**Ground 8: Rent arrears**

Landlords will no longer be able to evict tenants if their rent arrears are due to a delay in receiving Universal Credit payments.

**Four weeks**

**Mandatory**

**Ground 14: Anti-social behaviour**

This ground will include "behaviours 'capable of causing' nuisance or annoyance." This means that a wider range of tenant behaviours can be considered in court.

**Immediately**

**Discretionary**

**What are mandatory and discretionary grounds?**

A mandatory ground under section 8 means that the court will have to order possession if the landlord proves that the ground applies.

A discretionary ground gives the court more leeway to decide if it would be "reasonable" to grant possession to the landlord, even if the ground applies.

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# Chapter three



## PETS IN LETS

**O**ften treated as another member of the family, pets being allowed in a tenant's rental property has become an increasingly personal and emotional issue in the media. The Renters (Reform) Bill outlines the right for renters to request permission to keep a pet.

Although the new legislation builds upon existing guidelines, it also strengthens regulations so that the tenant, not the landlord, must pay for any damages to the property caused by the pet.

### THE CURRENT SITUATION

Pets in rented accommodation are more uncommon than common, and are granted at the landlord's discretion. Government data showed only 7% of private landlords advertised a pet friendly rental in 2021, despite more than half of adults in the UK owning a pet.

Moreover, the Dog's Trust outlines that the main reason for pets being handed over to shelters is "change in owners' circumstances, such as being unable to live in a rented property with a pet."

In January 2021, the government revised its Model Tenancy Agreement to help renters with well-behaved pets. This agreement encouraged landlords in England to no longer issue a blanket ban on pets by default.





The default position in the model agreement was changed to consent for pets, with landlords having 28 days to request a written pet request. However, this term was not a legal requirement, but optional to follow.

## NEW RULES UNDER THE RENTERS (REFORM) BILL

The Renters (Reform) Bill indicates that tenants will be able to make a request in writing to have a pet in their rented property. A landlord must have a “reasonable” ground if they wish to refuse this request - such as if their lease does not permit animals.

Commenting on this point, Chris Norris, Policy Director at the National Resident Landlords Association (NRLA) said: “It still remains unclear as to the exact grounds on which landlords can refuse to let to tenants with a pet, so the government must provide greater clarity on this point.”

The bill outlines that the landlord would have to let their tenant know if they will consent or refuse the request within 42 days after the request was submitted. If the landlord needs more information to make a decision, the need to give a response can be

### What is a pet?

The Renters (Reform) Bill stipulates that a pet is an animal kept by a person for:

- 1 Personal interest
- 2 Companionship
- 3 Ornamental purposes
- 4 A combination of all three



Not only will this bill bring us one step closer to significantly reducing the number of dogs and cats we see being needlessly separated from their owners, it will also open up the many joys of pet ownership to millions of renters in the future”

*Michael Webb - Head of Policy and Public Affairs, Battersea Cats and Dogs Home*

delayed up to seven days after that point. If the tenant doesn't share that information, the landlord doesn't need to give a response to the initial request.

### WHAT IF A LANDLORD REFUSES?

The government's *Renting with Pets* guidance acknowledges that there will be situations where it will “always be reasonable for a landlord to refuse a request.” This includes instances such as rent-to-rent agreements where a superior landlord prohibits pets.

A tenant will be able to escalate their request through the new redress scheme (see chapter 4) if there is a disagreement or they believe that the landlord has “unreasonably” refused. In these instances, the ombudsman will have the power to make the final decision, or the case may be taken to court.

## INSURANCE PROTECTION FOR LANDLORDS

The bill amends the Tenant Fees Act 2019 to include pet insurance as a permitted payment. This means that landlords can require a tenant to pay for pet insurance. The intention of this is to ensure that the costs of any damage to their property is covered.

A landlord is able to require a tenant to have a contract with an insurance company to cover pet damage. Alternatively, if the landlord takes out insurance, the tenant must provide means for the landlord to “recoup the reasonable costs of maintaining this insurance, including the premium for a policy that covers only pet damage and any excess fees.”

There may also be very rare cases in which the insurance and the deposit does not cover the cost of the damage. In these situations, “a landlord could take the tenant to court to recoup additional funds.”



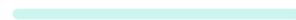
We welcome the government's plans [to] enable landlords to ask pet owners to have the required insurance to cover such damage."

*Chris Norris* - Policy Director, NRLA

## WHEN WILL THE CHANGES BE IMPLEMENTED?

Similar to the process for assured shorthold tenancies, the new laws around pets in lets will apply as follows:

- ① The government will give six months' notice for when these rules will apply to all new tenancies
- ② The changes will then apply to all existing tenancies at least 12 months after the first date



# Chapter four



## A NEW OMBUDSMAN FOR PRIVATE LANDLORDS

**T**he Renters (Reform) Bill outlines plans to introduce a new government-approved ombudsman. All landlords must sign up to this new redress scheme - whether or not they use a letting agent.

Ombudsmen or redress schemes are set up to help protect consumer rights. They aim to provide "fair, impartial, and binding resolutions" without needing to advance the problem to court. Using an ombudsman should therefore be faster, cheaper, and easier than going through the court system.

### THE CURRENT SITUATION

Although letting agents must be part of a redress scheme to settle disputes with tenants, no similar scheme exists for landlords. If a tenant makes a complaint about a landlord, it is often the letting agent's role to remedy the situation, especially if the landlord does not wish to directly engage with the tenant.



## HOW WILL THE REDRESS SCHEME WORK?

The government intends to only approve one redress scheme, and for it to act as an ombudsman. This means that tenants and landlords will be able to access the same single service. The organisation has yet to be decided, with the government still “exploring options.”

The ombudsman will be a streamlined service for both landlords and tenants to use. It will be able to resolve individual disputes between landlords and tenants without involving the courts.

According to the [Private Rented Sector Ombudsman](#) guidance, the government aims for the redress scheme to also “tackle the root cause of problems, address systemic issues, provide feedback and education to members and consumers, and offer support for vulnerable consumers.”

Letting agents will not be required to join this ombudsman, as many are already required to be members of existing redress schemes. Asking agents to join the scheme would also “risk disruption” to the government’s deadlines.

“The need to reduce court times and the introduction of a landlord ombudsman, [...] will play a fundamental role in ensuring these reforms work on a practical level.”

*Rebecca Marsh - Property ombudsman, The Property Ombudsman*

## HOW WILL THE OMBUDSMAN HELP TENANTS?

Tenants will be able to seek redress for free if they have a complaint about their tenancy or their landlords. However, they will be expected to raise any complaint with their landlord in the first instance. Legitimate complaints could include:

- Their landlord's behaviour
- The standard of a property
- Where repairs haven't been completed in a “reasonable” timeframe

The ombudsman will need to agree or disagree with the tenant before making a decision. If they agree with a complaint, it will take further action.

## WHAT POWERS WILL THE OMBUDSMAN HAVE?

The ombudsman will be given powers to “put things right” for the tenant. This includes compelling landlords to:

- Issue an apology
- Provide information
- Take remedial action
- Pay compensation of up to £25,000

Landlords also may be required to reimburse rents if the property does not meet the right standard.



## HOW WILL THE OMBUDSMAN HELP LANDLORDS?

Landlords will not be able to complain to the ombudsman about their tenants. However, the government says it is “exploring the possibility for the ombudsman to offer mediation services to landlords” to help settle disputes.

The government states that landlords will also benefit from the scheme through training, guidance, and support. The ombudsman will also be able to resolve tenants’ issues fairly, without needing to involve the courts. This should help speed up the process.

## WILL LANDLORDS HAVE TO JOIN?

Joining the ombudsman will be mandatory. Landlords will be required to provide their name and contact details and sign up online or on the phone. Landlords will also have to pay a fee - with the government “ensuring that [it] is proportionate and good value”, being priced per property at a “relatively small amount.”

“ We have long needed a statutory single private rental ombudsman – so I’m pleased to see it in the legislative plans. After all, disputes are often between two individuals – landlord and tenant – rather than between companies, so it can be very personal and difficult to sort.”

*Martin Lewis - Founder of MoneySavingExpert.com*

Local councils will also be able to take enforcement action against those who fail to join - and landlords may also be liable for a Banning Order. The ombudsman’s decision may also be enforced through the courts, if the landlords’ compliance becomes “a concern” (see chapter 6).

## WHEN WILL IT COME INTO EFFECT?

The government commits to introducing the ombudsman “as soon as possible after royal assent.” With the timeline for a bill going through parliament taking around a year (see page 6 - Timelines and Implementation), we can only speculate that it would be May 2025 at the earliest.



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REFORM IS HERE

# Have you missed any key information about the *Renters (Reform) Bill*?



From an e-book and blogs to webinars and podcasts - our Renters (Reform) Bill resource hub has everything you need to *understand the new changes*.

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# Chapter five

## A NEW PROPERTY PORTAL

**A** new property portal in England will include a database of residential landlords and their private rented properties. Currently, no landlord register exists in England, although there are registers for private landlords in both Scotland and Wales.

The portal aims to house a centralised and fully digital overview of landlords and their properties across England. Joining the register will be a legal requirement - so a landlord will be fined if they advertise a property without being on the register, or if they provide fraudulent information.

### WHAT IS THE NEW PROPERTY PORTAL?

The private rented property portal will provide a “one stop shop” for landlords. It aims to:

- Help landlords understand their legal obligations and demonstrate compliance
- Give tenants more information so they can make an informed decisions about renting a property
- Allow councils to more easily enforce compliance

This portal will help support current enforcement measures, such as through selective licensing (see [chapter 6](#) for more information).



### HOW WILL IT BE INTRODUCED?

The government aims to initially create a database to cover both landlords and their properties. Once this database is in place, it will provide the foundations of a "future Privately Rented Property Portal service."

This database will also be a de-facto "rogue landlord" database, as it will include entries on Banning Orders, convictions for serious offences, and other breaches.

Although the portal will be digital, there will also be a "non-digital method of registration" available, and an easy way for local authorities to navigate this data.



Of course, the caveat is that the technology is correct and the process of registering and complying is straightforward and affordable. We await the details of how this will be achieved in a realistic timescale, as it is the lynchpin of so much of the other reforms proposed."

*Sean Hooker - Head of Redress at the Property Redress Scheme*

### WHAT INFORMATION WILL BE MADE PUBLIC?

The bill itself is sparse on the details that will be private. However, the bill's accompanying explanatory notes clarify that it will limit information to be "necessary and proportionate" so applicants can make an informed decision about where they rent.

The notes explain that a tenant will likely be able to access data, such as:

- A landlord's name
- Details about the ownership and management of their properties
- Addresses of properties they own
- Unspent offences or penalties in their name
- Information relating to the property's standard

However, these aspects are still to be confirmed.

### WHAT WILL BE THE RULES FOR ACTIVE ENTRIES IN THE DATABASE?

Landlords and their properties will be given the category of "active" or "inactive". If an entry becomes "inactive", the landlord won't be able to market, advertise, or let their property, unless it's made active again. Inactive entries will be archived for five years, and then deleted.

Only active landlords with active properties - or their letting agents - will be able to market the property. Active landlords and their properties will have a "unique identifier" that will need to be added to any written advertisement, to confirm registration in the database.



- To be considered “active”, landlords will need to keep entries up to date. The bill highlighted that there will be no fee to update the records.

### **HOW WILL ROGUE LANDLORDS BE MONITORED IN THE DATABASE?**

Local housing authorities may have the power to add information about people that have received a Banning Order, been convicted of a banning order offence, or have received a financial penalty for a banning order offence. However, this is only after the period for appeal has ended.

This will effectively replace the existing Database of Rogue Landlords and Property Agents, under the [Housing and Planning Act 2016](#).

In September 2022 a spokesperson for the Department for Levelling Up, Housing & Communities reported to the press: “We intend to incorporate some of the functionality of the Database of Rogue Landlords, mandating the entry of all eligible unspent landlord offences and making them publicly visible.”

### **WHAT POWERS WILL THE GOVERNMENT HAVE TO DEVELOP THIS DATABASE?**

The bill has left space for the Secretary of State to continue to develop certain concepts of the portal. This includes how exactly the database and the property portal will work in practice. This is because changing technology and new standards and safety requirements in the lettings sector may require tweaks to policy.

The explanatory notes that accompanied the bill explain that the Secretary of State will have the power to introduce regulations, such as:

- How entries in the database are created
- Who needs to register
- What documents need to be included in the register
- The fee required
- When landlords need to register
- When a landlord is considered active - and therefore needs to comply with rules around marketing the property - and when they're inactive

### **WHAT WILL THE COST BE?**

The cost to be added to the database is yet to be determined. The government will need to consider the costs they will incur when operating the database, including maintenance and enforcement.

The Renters (Reform) Bill explanatory notes highlight that a higher fee may need to be paid if a landlord moves their entry from active to inactive, then back to active. Late fees may also apply on renewals.

### **WHEN WILL THE PROPERTY PORTAL GO LIVE?**

The government aims to introduce the portal “as soon as possible after the Bill has received royal assent.” This needs to factor in time for testing the portal to ensure it is working and fit for purpose before it is introduced.

# Chapter six



## ENFORCEMENT AND PENALTIES

**W**ith a raft of new regulations on the horizon under the **Renters (Reform) Bill**, enforcing them and introducing financial penalties will be a top government priority.

Local authorities will be key to ensuring that landlords follow the new rules, with the bill stating that it's "the duty of every local housing authority to enforce the landlord legislation in its area."

With more than 300 local authorities in England, they will need to get up to speed quickly. The government will introduce a "lead enforcement authority" to help share the relevant information with the councils to help make sure that they're consistent in how the new regulations are enforced.

### **HOW WILL THE PROPERTY PORTAL HELP SUPPORT LOCAL AUTHORITIES?**

The property portal ([chapter 5](#)) will also play a key role in how local councils can enforce the new rules. The portal will eventually be able to help keep landlords up to date on new legislation, as well as allow them to demonstrate compliance with the new and existing rules.



# 6

Local councils will be able to use this information to target enforcement activity where required, according to the government's guidance on the *Renters (Reform) Bill*.

## HOW WILL THE PROPERTY PORTAL AFFECT SELECTIVE LICENSING?

Currently, local councils can introduce selective licensing of landlords in their local area to tackle problems such as anti-social behaviour or low housing demand. Landlords in those areas need to get a licence before they can let their property.

Selective licensing will remain in place when the property portal is live. The portal will simply help support local authorities in how they enforce compliance, and how they target the right areas that suffer from poor housing quality.

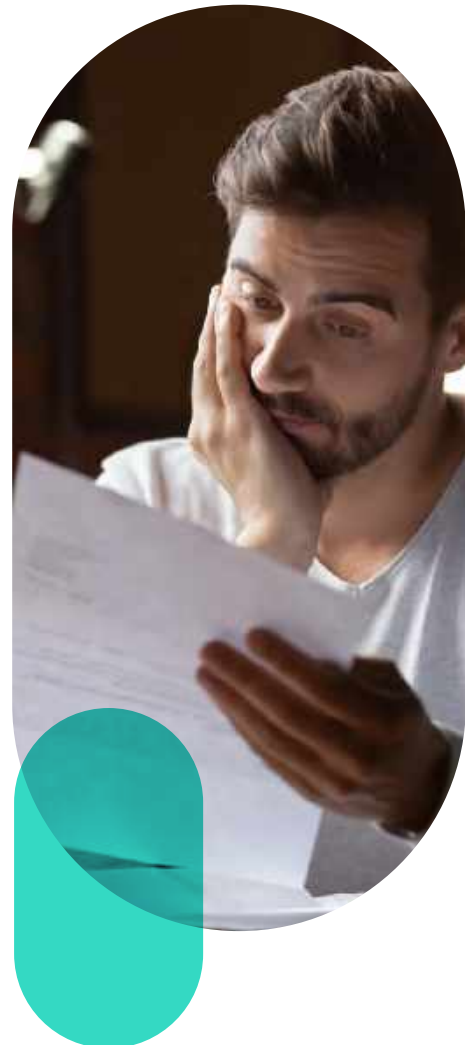
## HOW WILL THE OMBUDSMAN FACTOR IN?

Landlords will need to be members of the ombudsman - even for a certain amount of time after they stop letting the property. Local councils will be able to take enforcement action against any landlords that don't register on a scheme.

The ombudsman will have powers to put things right for the tenants, as outlined in [chapter 4](#). However, the government guidance on this redress scheme shares that it will again fall on the shoulders of the local council to take enforcement action if the landlord doesn't comply with the decision of the ombudsman.

## HOW WILL LOCAL AUTHORITIES MONITOR ROGUE LANDLORDS ?

Local authorities will have more obligations when it comes to monitoring and reporting enforcement on rogue landlords. They will need to add information to the property portal database for landlords with a Banning Order; those that have been convicted of other offences; and those that have received a financial penalty for other breaches.



## WHAT PENALTIES WILL LOCAL AUTHORITIES HAVE THE POWER TO HAND OUT?

Landlords may be fined up to £5,000 if they break certain terms of the bill, such as:

- Failing to provide tenants with a written statement of tenancy terms and information before the tenancy starts
- Failing to give prior notice to tenants for certain grounds for eviction
- Any misuse of these grounds for eviction

Landlords can be fined once per breach. For repeat offences, local authorities will be able to fine landlords a maximum of £30,000, and bring a Banning Order against them. In some instances, landlords may also face criminal prosecution.



The question that has to be asked - given that we are hearing constantly that local authorities are under-resourced to deal with the current legislation that they have - is how and what resources will be available to make [these changes] happen. [...]

When we move on to the portal, that might make it easier, but it really has to be backed up with hard cash and practical ideas."

*Sean Hooker - Head of Redress at the Property Redress Scheme*





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**SUBMIT**

# OTHER GOVERNMENT COMMITMENTS FOR THE PRIVATE RENTED SECTOR

**A**lthough most of the reforms in the **Renters (Reform) Bill** were expected - having first been set out in the 2022 [A Fairer Private Rented Sector](#) white paper - a few elements were missing. However, the government has stated it continues to remain committed to delivering these as soon as possible.

## 1 THE DECENT HOMES STANDARD

The Decent Homes Standard is the government's main metric for decency and is currently applied to the social rented sector. The standards for the social housing sector rely on the Housing Health and Safety Rating System to assess the condition of homes.

The white paper set out intentions to apply the Decent Homes Standard to the private rented sector for the first time. The [2021-2022 English Housing Survey](#) indicated that nearly a quarter of privately rented homes do not meet the standards, which costs the NHS £340 million a year.

The government undertook a separate consultation into the Decent Homes Standard in 2022, the outcomes of which have not yet been announced. However, it is likely that the property portal ([page 27](#)) will be key to monitoring compliance with the new standards in the private rented sector.

## 2 OUTLAWING BLANKET BANS ON RENTING TO TENANTS ON BENEFITS OR WITH CHILDREN

The [English Private Landlord Survey 2021](#) found that 44% of landlords didn't wish to rent their properties to tenants on benefits.

One of the grounds for section 8 ([page 13](#)) will be amended to ensure that landlords will no longer be able to evict tenants if their rent arrears are due to a delay in them receiving their universal credit payments.

However, plans to outlaw banning families receiving benefits - the so called "no DSS" bans - and to stop landlords banning tenants with families will need to wait.

They are still a government priority, with the white paper saying that these practices have "no place in a fair and modern housing market".

### 3 MORE POWERS TO LOCAL AUTHORITIES

The bill highlights that it will give councils more "investigative powers", and will explore how to ensure that councils will report on enforcement activity, particularly to help reduce the number of criminal landlords.

This ties into [chapter 6](#), which outlines how many of the new proposals - such as the property portal and ombudsman - will help support new powers of enforcement for local councils.

The bill shares that the government will bring forward legislation on these points at the earliest opportunity, within the coming 2023/2024 parliamentary session.

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# • THE LONG-TERM IMPACT OF THE RENTERS (REFORM) BILL

**T**he proposals in the Renters (Reform) Bill affect the entire private rented sector. Here are a few of the reactions from industry experts to the bill, and what impact they think it may have on the sector.

## IMPACT ON LANDLORDS

“There is so much uncertainty around this legislation, but I think there are lots of private landlords who are looking at the bottom line and what they’re going to have to do over the next few years.

“We’re seeing lots of landlords already not necessarily leave the market, but **rationalise their portfolios and sell some of their properties.** I think the bill does represent enough risk that **landlords might look more carefully at where they’re investing.**”

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**Chris Norris** - Director of Policy and Campaigns at the National Residential Landlords Association

“This bill has been the elephant in the room for landlords since 2019. As always, the devil will be in the detail, however there are a number of positives which may come out of it; **finally landlords will be getting some clarity on what new regulations will entail, enabling them to plan accordingly.**”

---

**Sarah Bush** - Head of Lettings at Cheffins



“The real challenge is probably going to be at the lower end of the market. What it’s really going to do is **make landlords much more careful about who they rent to and really do their due diligence on their tenants.**”

“It’s probably going to make it tougher for people who are either on universal credit or have to use local housing allowance to secure a private tenancy.”

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**Timothy Douglas** - Head of Policy and Campaigns, Propertymark

## IMPACT ON LETTINGS AGENTS

“Reforms to the private rented sector in England have been long awaited and the bill **will bring much needed clarity** to letting agents, their landlords and tenants.

“It is also important implementation is **well planned and managed** as these reforms are significant for the sector.”

*Timothy Douglas - Head of Policy and Campaigns, Propertymark*

“Agents need to reorient how they sell themselves. It's peace of mind, it's time, and it's expertise. These changes are complicated and **agents are the only ones that can help landlords make it less complicated**. If you want to be a self-managed landlord, there are tools out there to help you, but agents should not be threatened by this - or, rather, good agents should not be threatened by it.”

*Sean Hooker - Head of Redress at the Property Redress Scheme*



“At Andrews, our focus on striving for higher standards is key to driving up the quality of rental accommodation. We will work with the new legislation to continue to do this and in turn **foster stronger relationships between landlords and their tenants.**”

*Angharad Trueman - Group Lettings Director at Andrews*



## IMPACT ON TENANTS

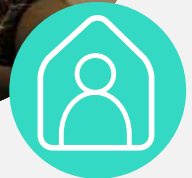
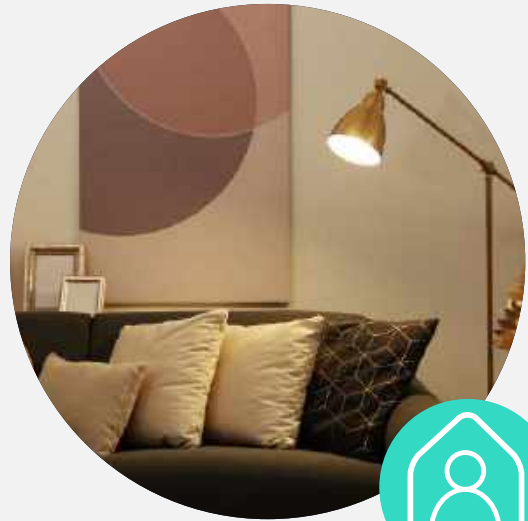
“The bill is a **breakthrough in the battle** to make renting fairer, safer, and more secure. By the end of the year, we hope laws will be in place to prevent any more tenants from being kicked out of their homes for no reason.”

*Polly Neate - Chief Executive of Shelter*

“We are concerned that changes to anti-social behaviour grounds could result in unfair evictions. **That tenants can also be evicted for anything that is “capable of causing nuisance and annoyance” requires clarification as it is ambiguous and open to abuse.**

There is also an exemption for landlords to comply with deposit protection requirements while evicting a tenant using anti-social behaviour grounds, which is **an invitation to unscrupulous landlords to make false allegations.** The move to a two-week notice period for an eviction leaves tenants very little time to get legal advice.”

*Conor O’Shea - Policy and Public Affairs Manager, Generation Rent*



“**We remain concerned for tenants** as to any knock-on effects [of the bill], as our RICS Residential Survey shows **rents continuing to rise alongside the supply of rental properties dropping.**

“The reforms, therefore, must be delivered in such a way that gives confidence to landlords and does not result in them leaving the sector, further exacerbating the challenges for tenants who are already struggling to find quality affordable homes.”

*Spokesperson - Royal Institute of Chartered Surveyors*

# About Goodlord



**Goodlord is a RentTech company with a mission to provide the best renting experience in the world.**



Goodlord's digital platform brings together the core elements of the lettings process - from signing contracts to rent collection. Since its inception in 2014, Goodlord has processed more than one million tenancies.

The group has demonstrated its commitment to further growth by acquiring referencing vendor Vouch in 2020, fintech platform Acasa in 2021, and onboarding platform Halo in 2023.

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# About Vouch



**Built by lettings agents for lettings agents, Vouch delivers a reliable referencing solution that is competitively priced, fast, and up-to-date.**



Founded in 2017, Vouch joined the Goodlord family in 2020. The company is based in Sheffield and serves more than 1,000 letting agents across the UK.

Vouch offers two industry-leading products, including a full tenant referencing service from only £6. This, combined with a fully-automated income generation system, helps agents to save time on unnecessary admin - and to earn commission from each property.

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