

CABINET
2026

20th April

Renters Rights Act 2025

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Assistant Director	Assistant Director Community and Housing Services
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Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Council Priority	Housing
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Cabinet is asked to RESOLVE that

- 1) The update provided in the report in respect of the Renters Rights Act 2025 be noted.**
- 2) The new burdens funding of £16,575.66 be noted.**

The Cabinet is asked to RECOMMEND that:-

- 3) The Scheme of Delegations be amended to incorporate new powers under the Renters Rights Act 2025 in accordance with the wording set out at Appendix 1**

2. BACKGROUND

- 2.1** The Renters Rights Act 2025 (RRA25) obtained Royal Assent on the 27th October 2025 with reforms being introduced through a phased approach with new investigatory power being implemented from the 27th December 2025. Phase 1 will commence on the 1st May 2026. The RRA25 represents the most significant reform of the private rented sector in a generation with the aim to improve security, fairness, and standards for private tenants while strengthening enforcement powers for local authorities.

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- 2.2 The estimated private rented sector (PRS) in Bromsgrove is 4,395 (Office for National Statistics (2021 Census) and the Ministry of Housing, Communities and Local Government Live Tables on Dwelling Stock.

3. OPERATIONAL ISSUES

- 3.1 The Private Sector Housing Team currently investigates and enforces non-compliance under the Housing Act 2004, with a primary focus on the Housing Health and Safety Rating System (HHSRS), which addresses property disrepair and hazards.

- 3.2 The Renters' Rights Act 2025 will be implemented across three phases as set out below:

- 3.3 **Phase 1** will take effect from 1st May 2026 and includes the following elements:

- **Abolish section 21 'no fault' evictions** – landlords in the PRS will no longer be able to use section 21 of the Housing Act 1988 to evict their tenants.
- **Introduces Assured Periodic Tenancies** in the private rented sector – the vast majority of new tenancies and existing tenancies in the PRS will become Assured Periodic Tenancies. This means tenants will be able to stay in their property for as long as they want, or until a landlord serves a valid section 8 notice. Tenants will be able to end their tenancy by giving two months' notice.
- **Reform possession grounds** in the PRS so they are fair for both parties – landlords will only be able to evict tenants when they have a valid reason. Possession grounds will be extended to make it easier for landlords to evict tenants who commit anti-social behaviour, or who are in serious persistent rent arrears. (Appendix 2)
- **Limit rent increases** to once a year in the PRS – landlords will have to follow the revised section 13 procedure and provide the tenant with a notice detailing the proposed rent increase at least two months before it is due to take effect.
- **Ban rental bidding and rent in advance** – landlords and letting agents will not be able to ask for, encourage, or accept an offer that is higher than the advertised rent. Landlords and agents will also not be able to request more than one month's rent in advance.
- **Make it illegal to discriminate against renters** who have children or receive benefits – landlords and letting agents will not be able to do anything to make a tenant less likely to rent a property (or prevent them from renting it) because they have children or receive benefits. This includes withholding information about a property (including its

availability), stopping someone from viewing it, or refusing to grant a tenancy.

- **Require landlords in the PRS to consider tenant requests to rent with a pet** – landlords will have an initial 28 days to consider their tenant's request, and they will have to provide valid reasons if they refuse it.
- **Strengthen both local council enforcement and rent repayment orders** - civil penalties will be expanded, and there will be a new requirement for local councils to report on enforcement activity. Rent repayment orders will be extended to superior landlords, the maximum penalty will be doubled, and repeat offenders required to pay the maximum amount.

3.3 **Phase 2** will take effect from 2027 (specific dates to be confirmed) and includes the following elements across two stages:

3.4 Stage 1 involves the regional rollout of the database for Landlords and Local Councils. Signing up to the PRS Database will be mandatory for all PRS landlords and they will be required to pay an annual fee which will be confirmed closer to launch.

3.5 Regulations will mandate landlord registration, payment of a fee and the provision of key information by landlords including -

- The landlord's contact details. This will include capturing relevant information from all joint landlords.
- The property details including the full address, type of property (flat/ house), number of bedrooms, number of households/residents and confirming whether the property is occupied and furnished, etc.
- Safety information – Gas, Electric and Energy Performance Certificates – so tenants are assured about the safety and energy efficiency of the property.

3.6 Stage 2 involves the further roll out of the database and introduction of the Ombudsman. Public access and data sharing will be enabled following the launch of landlord registration.

3.7 The Ombudsman will provide a redress service for private rented sector tenants when things go wrong. It will also support landlords with tools, guidance and training on handling complaints from tenants early. The Ombudsman scheme will be mandatory for PRS landlords. Landlords will be required to fund the service through a fair and proportionate charging model which is due to be confirmed closer to launch.

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- 3.8 Implementation of the Ombudsman will happen after the introduction of the database, and the government are exploring ways to share information between the database and the Ombudsman to minimise landlord sign-up burden.
- 3.9 The development of the Ombudsman will happen in stages:
- Stage 1 will happen at least 12-18 months before implementation. The Secretary of State will choose a scheme administrator to run the new service, which will then need time to scale up.
 - Stage 2 will require landlords to be members of the new service, expected to be in 2028, when the Secretary of State is confident the service is ready for delivery. We will make sure landlords are given sufficient notice in advance of requiring them to be members of the scheme.
- 3.10 **Phase 3** involves the introduction of a new Decent Homes Standard (DHS) in the PRS (dates of implementation to be confirmed following consultation but likely between 2035- 2037).
- 3.11 A DHS will be introduced to the PRS for the first time. This will ensure that all PRS properties meet a minimum standard of housing quality and provide local councils with powers to take enforcement action if PRS properties fail to meet it.
- 3.12 While the deadline for implementation may be some years away, the expectation is that landlords should commence works earlier wherever feasible, remaining mindful of the effect of property conditions on tenants.
- 3.13 In addition to these measures, the Government has consulted on plans to require all domestic privately rented properties in England and Wales to meet Minimum Energy Efficiency Standards (MEES) of EPC C or equivalent by 2030 unless a valid exemption is in place. Further details will be set out surrounding this in due course.
- 3.14 As part of the pathway to applying the DHS to the PRS, the Housing, Health & Safety Hazard Rating System (HHSRS) will be reviewed.
- 3.15 Awaab's Law will also be extended to the PRS, setting clear legally enforceable timeframes within which PRS landlords must make homes safe where they contain serious hazards. This will empower tenants to challenge dangerous conditions in their homes.

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- 3.16 It should be noted that the Decent Homes Standard already applies to social housing and Awaab's law applies to social housing from 27th October 2025.
- 3.17 Under the RRA25, the Private Sector Housing Teams powers will expand to include investigation and enforcement of: -
- Tenancy agreement clauses
 - Illegal eviction and harassment
 - Breaches for grounds of possession e.g. re-letting property before 12 months if using sale as reason for possession
 - Time limits on possession grounds
- 3.18 As a result of new legislation, powers and tenants' rights, there are several new areas that the service has not dealt with before such as anti-discrimination, rent bidding and rent increases and unreasonable refusal of pet requests. This will require training to address knowledge gaps, upskilling staff as well as additional resources to respond to the demand and change of enquiries.
- 3.19 The primary anticipated impacts on the service relate to an increase in demand generated through enquiries from tenants surrounding their rights, the identification and enforcement of offences and an increase in homeless presentations as a result of section 21 notices being issued in the lead up to the implementation of phase 1 and a potential reduction in PRS accommodation post implementation.
- 3.20 The Private Sector Housing team is a shared service between Bromsgrove District Council and Redditch Borough Council. The officers are able to undertake enforcement across all tenures, including private rented, socially rented, owner-occupied and empty properties.
- 3.21 Training, development and upskilling the workforce will be undertaken to ensure that key staff in the service have the knowledge and skillset to provide support, respond to and enforce the Act relevant to their role. This will ensure customers receive the best possible service and build trust and confidence with customers as well as key stakeholders.
- 3.21 To support compliance with the RRA25 Bromsgrove District Council has secured and allocated funding to implement a regulatory case management system. This system will play a crucial role in enabling the council to meet new statutory duties under the Act. Once operational the

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new system will provide robust data reporting to central government as required by the RRA

- 3.22 Officers will update the Private Sector Housing Enforcement Policy 2026 to align it with the new duties that have been implemented by the RAA25 and bring forward to a future committee. It is anticipated that this will be in June 2026.
- 3.23 In the meantime some updating to the Scheme of Delegations is required to enable officers to start taking on some of the new powers under the RRA25. Accordingly, Members are referred to the revised delegations at Appendix 1, and are asked to recommend to Council that the changes be approved.
- 3.24 By way of explanation, officers would comment on the proposed changes as follows: -
- Deletion of the first paragraph is to tidy up the wording and set out all the legislation in one list in the second paragraph.
 - The references to the RRA 25 in paragraph 2 will enable officers to use the new investigatory powers conferred on Local Housing Authorities and to report on statistics to the government.
 - The references to the RRA 25 in paragraph 3 will enable officers to investigate the new offences relating to discriminating against tenants and the requirement to state the rent.
- 3.25 Members are asked to note that once the Private Sector Housing Enforcement Policy has been finalised, there will be a further request to add delegations under the RRA25 details of which will be included in the next report coming to committee.

4. FINANCIAL IMPLICATIONS

- 4.1 The Government has provided New Burdens Funding 2025/26 to support Local Authorities with the implementation costs. Bromsgrove District Council has been allocated £16,575.66 to support the Council to undertake preparatory work for the new responsibilities around enforcement and reporting enforcement activity in private rented sector housing arising from the Renters' Rights Act 2025.
- 4.2 Once enforcement activity starts to take place under the Act there is potential for income to be received from the imposition of civil penalties. This will be from the issuing of Civil Penalty Notices (CPNs) and new style "financial penalties" for certain offences.

The relevant government guidance states that: -

“Income received from civil penalties must be used by local housing authorities to meet costs and expenses incurred in or associated with their private rented sector enforcement functions. Income that is not used for this purpose must be paid to central government.”

- 4.3 Income may also be received following the establishment of the Landlord Database. This is due to be implemented in Phase 2 with guidance to be provided. However, it is expected that a share of the landlord registration fees will be provided to the local authority. This must be used for private sector housing activities.
- 4.4 The Government has also confirmed that the below amounts have been added to the Council's final allocation of the Homelessness, Rough Sleeping and Domestic Abuse grant 2026-29 and is provided to support local housing authorities towards meeting their homelessness duties as a result of any new burdens linked directly to the Renters' Rights Act 2025

2026/27	£34,332
2027/28	£16,165
2028/29	£0
Total	£50,497

5. LEGAL IMPLICATIONS

- 5.1 Currently informal action is used in addition to the use of formal powers, and the provisions of the Act are likely to limit such informal action in the future.
- 5.2 The Council must ensure these duties and powers are exercised in accordance with the criteria outlined within the Act. This requires amendments to the Scheme of Delegation to cover the provisions of the Act (Appendix 1).
- 5.3 There are significant changes to the Council's enforcement powers where landlords have not complied with their duties, have failed to keep the property in a decent standard and have carried out illegal evictions. The Private Sector Housing Enforcement and Civil Penalty Policy will require updating and will be brought to a future Executive Committee. It is expected that the MHCLG will produce guidance for debt recovery.

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 The RRA25 introduces new duties to local housing authorities and the unitary authority will take over these duties.

Relevant Council Priority

- 6.2 The implementation of the RRA25 enables Bromsgrove District Council to meet one of the Council's priorities of 'Community & Housing'. The legislation directly impacts upon the residents throughout the community by ensuring that houses are safe and warm enabling the residents to be happy and Bromsgrove a safe place to live.

Climate Change Implications

- 6.3 No direct impact on climate change, although changes to the Decent Homes Standard are likely to require improvements to the energy efficiency of homes which will have a positive impact.

Equalities and Diversity Implications

- 6.4 Equalities and diversity implications have been considered as part of the process to introduce new legislation by the Government.

7. RISK MANAGEMENT

- 7.1 The following risks and opportunities have been identified to inform planning and mitigation.
- Increased enquiries to both PRS and housing options:
 - Provide clear, consistent information to all internal and external partners through website information, landlord emails and internal scripts for all teams.
 - Short implementation timescales:
 - Develop early workflows and deliver training to all relevant staff ahead of Phase 1.
 - Some landlords may choose to exit the PRS due to perceived regulatory burden, leading to a reduction in available rental stock
 - Reduced PRS availability, rising evictions, and higher demand for homelessness support may increase Temporary Accommodation placements and expenditure

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- Increased workload for PSH, Housing Options, and Legal Services may require additional budget for staffing, training, legal costs, and system improvements.
- Increased enforcement activity and financial penalties may lead to higher levels of debt to recover, requiring additional administration and legal oversight.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Proposed amendments to Scheme of Delegations

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Kit Taylor	26/02/2026
Lead Director / Assistant Director	Judith Willis Assistant Director Community and Housing Services	17/02/2026
Financial Services	Deb Goodall Assistant Director Financial Services	17/02/2026
Legal and Democratic Services	Nicola Cummings, Principal Solicitor – Governance and Jess Bayley-Hill, Principal Democratic Services Officer	25.02.26