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A Guide to the Renters' Rights Act

Moving forward
together >



The Renters' Rights Act is set to transform the legal rights of renters and the obligations placed on landlords. It introduces a new set of regulations that landlords will need to comply with.

This guide is intended for landlords and property investors and outlines what the Renters' Rights Act will change, how these changes may affect you and what steps you may need to take.

This guide is intended for general informational purposes only and does not constitute legal advice. The Renters' Rights Act and related housing law are detailed and subject to change and how the law applies will depend on the specific facts of each situation.

You should not rely on the information in this guide as a substitute for obtaining legal advice tailored to your individual circumstances. While care has been taken to ensure the content is accurate at the time of publication (February 2026), no representation or warranty is given that the information is complete, up to date or applicable to your case.

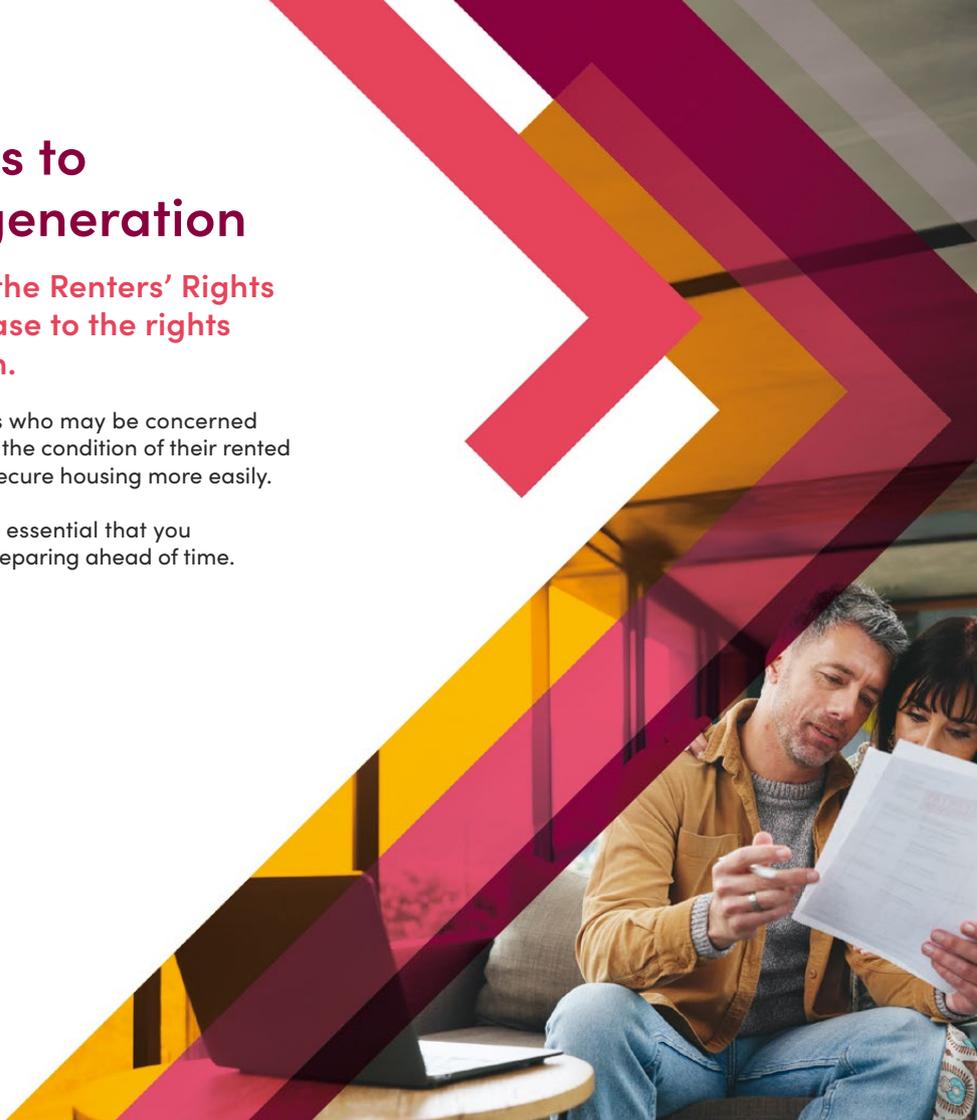


The biggest changes to renters' rights in a generation

The Government has described the Renters' Rights Act as the most significant increase to the rights of private renters in a generation.

The aim is to support renters and their families who may be concerned about their current tenancy arrangements and the condition of their rented homes, as well as to help prospective tenants secure housing more easily.

Although the regulations will be phased in, it is essential that you understand the Renters' Rights Act and begin preparing ahead of time.



What are the key changes in the Renters' Rights Act?

The Act introduces a major set of reforms that increase tenant rights and expand landlord responsibilities.

Ending a tenancy and eviction

One of the most significant changes is the abolition of Section 21 of the Housing Act 1988, which allows landlords to remove tenants without providing a reason, once a notice has been served and court order has been acquired.

Under the Act, landlords will no longer be able to use Section 21. Instead, they will be required to provide a valid reason for seeking possession, and these reasons must fall within the grounds set out in Section 8 of the Housing Act 1988. Section 8 in itself will be amended as follows within the new Act:

Mandatory Grounds for Possession

If you are looking towards a sale of the property (New Ground 1A) or look to repossess the property for your own use or a family member (Enhanced Ground 1) you must give four months' notice.

You are restricted from re-letting the property for a further 12 months after regaining possession to prevent misuse.

This ground cannot be used within the first six months of commencement of a tenancy agreement.

This means that all tenants are entitled to four months' notice and the landlord cannot use this Ground in the first six months of your tenancy. This gives you more time to find a new home.

Rent Arrears (Enhanced Ground 8)

This mandatory Ground applies if the tenant has at least three months' rent arrears at the date of the notice and at the date of the hearing.

For landlords, the minimum notice period is increased from two weeks under the Housing Act 1988 to four weeks under the RRA.

Arrears must meet the three-month threshold at the time of notice and the court hearing. This means that if the tenant pays the arrears to below the three-month amount between the notice date and the hearing that possession will not be granted.

For tenants, the notice period for arrears is increased to four weeks, giving you more time to rectify the issue.

You must ensure arrears do not meet or exceed the three-month threshold at the time of the notice and the court hearing to prevent a mandatory possession order.



Discretionary Grounds

For grounds like anti-social behaviour, the landlord must satisfy the court that it is reasonable to grant possession.

Landlords should keep very detailed and continuous documentation (e.g., incident logs, dates, times, witnesses) of incidents to satisfy the court that possession is reasonable.

For tenants, your landlord must present satisfactory evidence to the court to prove that a discretionary ground for possession is reasonable.

The Government has confirmed that Section 21 will be abolished from 1 May 2026. Until commencement, you may still be able to serve a Section 21 notice.

If a tenant does not leave by the expiry of a valid notice, you may apply to the court for a possession order, but only within the period permitted after commencement. After that deadline, no further Section 21 applications can be made.

The removal of Section 21 represents a major shift for both landlords and tenants. Landlords will have a legal duty to give clear, lawful reasons for seeking possession. While this may result in more disputes, following the new legal process should make possession claims more straightforward.





Guidance for Landlords

- If seeking to use the current Section 21 eviction procedure, landlords **must** serve a Section 21 Notice on or before **30 April 2026**.
- If you give a Section 21 notice to your tenant before 1st May 2026, then on and after this date you can only use it to start court proceedings until whichever date comes first:
 - Six months after the date you gave the notice
 - Three months beginning on 1st May 2026
- After this time, and for any tenancies that commence on or after 1st January 2026, the Section 21 “no fault” eviction will not be available.
- Thereafter, the new regime will apply, and you must have a legally valid reason (a Ground) to end the tenancy.
- Evictions will then require the use of the amended Section 8 procedure. Ensure you use the correct statutory notice form and provide the correct notice period.
- For both mandatory and discretionary grounds, maintain detailed and continuous documentation to support your claim for possession.



Guidance for Tenants

- No “No-Fault” Evictions after 1st May 2026. Your landlord will need a valid legal reason (a Ground under Section 8) to evict you.
- If you receive a Section 8 notice, check that the Ground cited is valid and that your landlord has provided the correct notice period as specified in the RRA.



Introduction of periodic tenancies to replace fixed-term assured tenancies

The Act will also introduce structural changes to tenancy agreements.

All assured tenancies will become periodic, operating either on a week-to-week or month-to-month basis depending on the rent payment frequency.

Again, ending an assured tenancy will require landlords to rely on the grounds in Section 8 of the Housing Act 1988.

Fixed-term assured tenancies will no longer be used. Existing fixed-term agreements will convert into periodic tenancies before the end of their term.

Tenants will be required to give landlords two months' notice if they wish to leave the property.



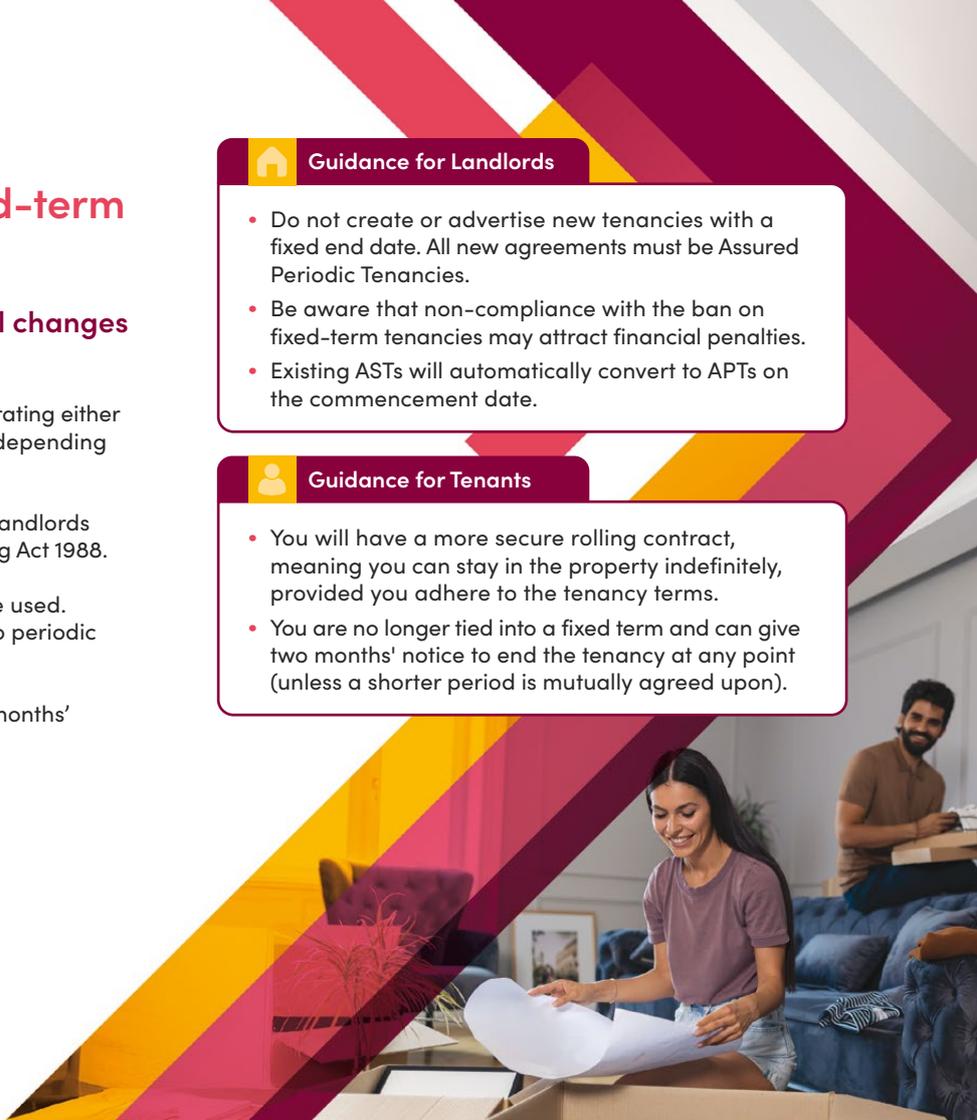
Guidance for Landlords

- Do not create or advertise new tenancies with a fixed end date. All new agreements must be Assured Periodic Tenancies.
- Be aware that non-compliance with the ban on fixed-term tenancies may attract financial penalties.
- Existing ASTs will automatically convert to APTs on the commencement date.



Guidance for Tenants

- You will have a more secure rolling contract, meaning you can stay in the property indefinitely, provided you adhere to the tenancy terms.
- You are no longer tied into a fixed term and can give two months' notice to end the tenancy at any point (unless a shorter period is mutually agreed upon).



Changes to rent increases and bidding wars

The Act also introduces reforms to rent increases and the renting process from 1st May 2026. These include:

- Rent increases limited to once a year, with any increase required to reflect the current market level.
- All increases must be made using the Housing Act 1988 Section 13 procedure, giving the tenant a minimum of two months' notice.
- Tenants having the right to challenge rent increases they consider excessive.
- Landlords being prohibited from demanding large up-front rent payments before the tenancy begins.
- Landlords being prohibited from accepting rent higher than the advertised amount, to prevent bidding wars.

Landlords may be concerned about reduced flexibility to maximise income, as any additional revenue must come through annual rent adjustments alone.

Councils across England will be legally responsible for overseeing these new rights and will have strengthened enforcement powers. These include fines of up to £7,000 for breaches, rising to £40,000 where a landlord repeatedly breaches the rules or commits a serious offence.

Tenants and local authorities will also be able to seek rent repayment orders, requiring landlords to repay rent where offences have been committed.



Guidance for Landlords

- Adhere to the advertised rent from the first advertisement to the final agreement.
- Do not engage in rental bidding or accept higher offers.
- Requiring more than one month's rent in advance is a breach of the RRA and could attract financial penalties.



Guidance for Tenants

- You cannot be asked to, or have your offer accepted, at a rate higher than the property was advertised for. This is designed to prevent rental bidding wars.
- Your landlord can only require you to pay a maximum of one month's rent in advance before or at the start of the tenancy.

Updates to discriminatory behaviour

The Act provides clarity on discriminatory actions and strengthens protections for tenants, as follows:

Ending discrimination against tenants' circumstances

The Act emphasises fairness and equal opportunity. As a landlord, you must not refuse a tenancy because a prospective tenant has children or receives benefits.

You may still carry out legitimate checks to assess suitability, but you must ensure circumstances such as family status or benefit status do not form the basis of refusal.

Failing to treat tenants fairly can result in fines from local authorities and can lead to further disputes, so it is important to follow the regulations.

Tenants having pets in the property

The Act provides clarification regarding tenants' ability to keep pets. Landlords must consider requests for pets and cannot refuse them outright. A decision must be provided in writing within 28 days.

If you decline a request, you must provide a clear and reasonable justification. Tenants may challenge refusals they consider unfair.

The Act recognises that property damage is a concern and allows landlords to require the tenant to obtain pet insurance to cover potential damage. This protects your interests, while allowing tenants the opportunity to keep pets.



The introduction of new services to help landlords

The Renters' Rights Act also introduces measures to support landlords in understanding their obligations and resolving disputes more efficiently.

Creating a Private Rented Sector Database

The Act provides for a private rented sector database, which landlords will need to register with.

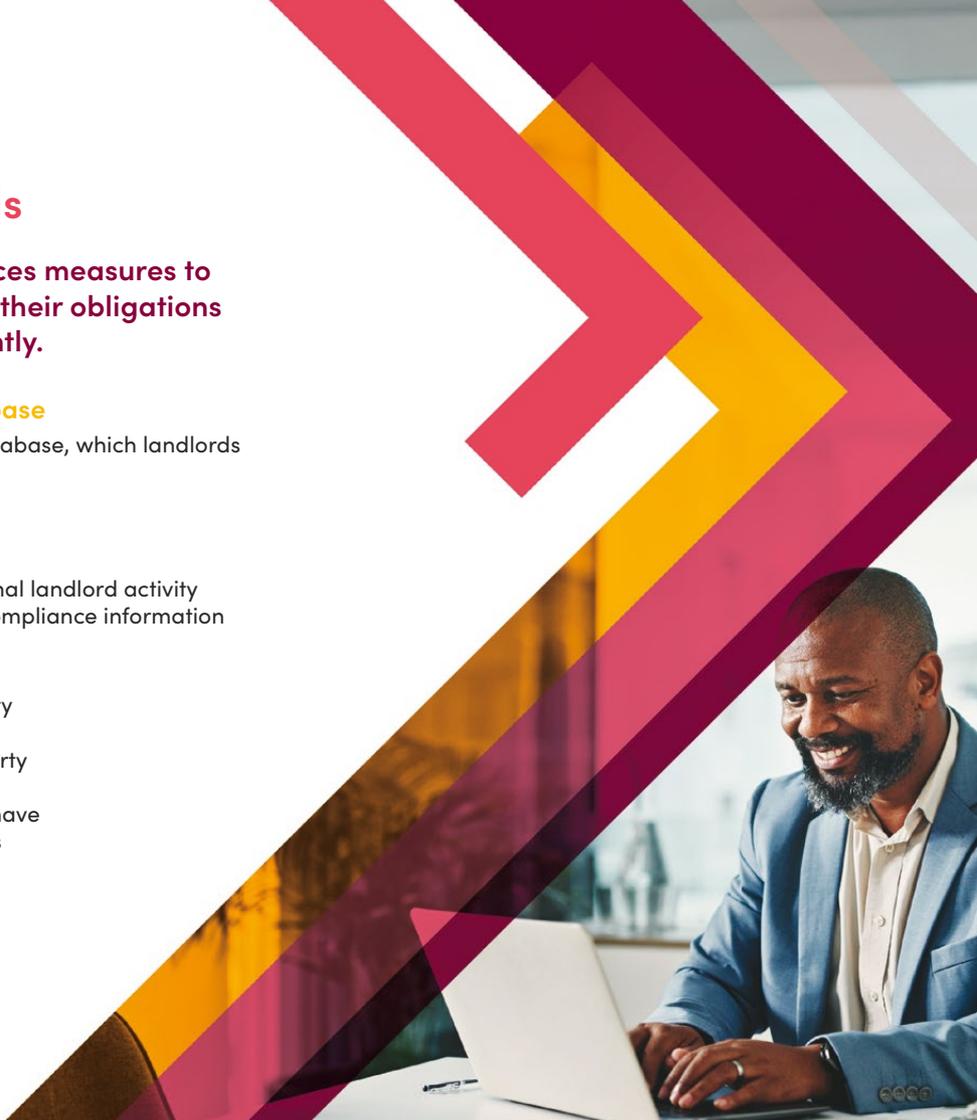
The purpose of the database is to:

- Increase transparency in the rental market
- Support local authorities in addressing criminal landlord activity
- Provide landlords with access to legal and compliance information

Landlords will need to:

- Register themselves and each rental property
- Keep information updated
- Register before advertising any rental property

A service fee is expected, although the details have not yet been finalised. Work on the database is expected to begin in late 2026.



Introduction of a Private Rented Sector Landlord Ombudsman

The Act will introduce a dedicated Ombudsman to help resolve disputes between landlords and tenants. This body will provide binding and quicker redress for tenants who make complaints related to management or maintenance, circumventing some court processes.

The Ombudsman's responsibilities will include:

- Resolving disputes when tenants make complaints
- Investigating complaints
- Setting out proposed resolutions
- Promoting regulatory standards
- Supporting landlords in understanding compliance

The Ombudsman's decisions will aim to be fair, impartial and efficient. Enforcement mechanisms are expected to work alongside local authority powers rather than through the Ombudsman directly.

The Government has advised that the ombudsman scheme will be introduced "as soon as possible", but it is expected to be rolled out in phases, beginning in late 2026 and completing in 2028. Landlords will be given notice of the date by which they will be required to sign up to the ombudsman scheme and sufficient time to make appropriate arrangements.



Guidance for Landlords

- You must register yourself and your properties annually on the PRS Database and pay the required fee.
- Failure to register can lead to a financial penalty of up to £7,000 (up to £40,000 for repeated/serious breaches) and you will be restricted from obtaining a possession order except for anti-social behaviour/serious rent arrears grounds.
- You will be required to join the PRS Landlord Ombudsman scheme and likely pay a small annual fee per property. This is the new, mandatory process for resolving most management/maintenance complaints outside of court.



Guidance for Tenants

- The database is intended to improve transparency and enforcement against non-compliant landlords.
- You will be able to verify if your landlord and property are registered, which is a key indicator of compliance.
- The PRS Ombudsman Service will offer a free, independent, and binding way to resolve complaints about landlord management or maintenance issues, potentially avoiding lengthy court processes.

Increased powers for local authorities

The Act significantly expands the powers of local councils and housing authorities to enforce landlord compliance.

New investigatory powers will allow authorised officers to:

- Enter business premises to seize documents
- Request information from organisations
- Enter residential properties where legally authorised

Councils must write to the individual under investigation and specify that the request is made under Section 114 of the Renters' Rights Act 2025.

Civil penalties for non-compliance may reach up to £7,000 and can rise to £40,000 for persistent or serious breaches.

These investigatory powers will take effect on 27th December 2025.



Extending existing laws to private sector landlords

The Renters' Rights Act also expands certain laws previously limited to social housing landlords so that they apply to the private sector.

The Decent Homes Standard

The Decent Homes Standard sets out minimum housing quality requirements. Its extension to private landlords is intended to improve safety and reduce poor-quality homes.

Landlords may need to undertake improvements to comply, including meeting Housing Health and Safety Rating System (HHSRS) requirements.

The Government held a consultation on potential reforms in September 2025, so further updates may follow.

The Standard is expected to be introduced to the private sector between 2035 and 2037.



Awaab's Law

Awaab's Law, introduced in the social housing sector in October 2025, will also apply to private landlords in the future.

It requires landlords to:

- Investigate emergency hazards (such as gas leaks, carbon monoxide leaks, loss of water or a broken boiler) within twenty-four hours.
- Investigate significant hazards such as damp and mould within ten working days.
- Ensure homes are made safe within five working days after an investigation concludes.
- Provide tenants with a written summary within three working days.

Exact commencement dates for private landlords have not yet been confirmed, so it is important to stay updated.



Guidance for Landlords

- Proactively ensure your property meets the Decent Homes Standard. Comply with the prescribed, legally enforceable timeframes for investigating and fixing serious hazards.
- Be aware that local authorities have enhanced powers and Rent Repayment Orders can be issued for a wider range of offences, which could require you to pay back up to two years of rent to your tenant.



Guidance for Tenants

- You have a right to a home that meets the Decent Homes Standard.
- If you report serious hazards like damp and mould, your landlord must investigate and fix them within prescribed timeframes.
- Document all reports and communication related to disrepair.

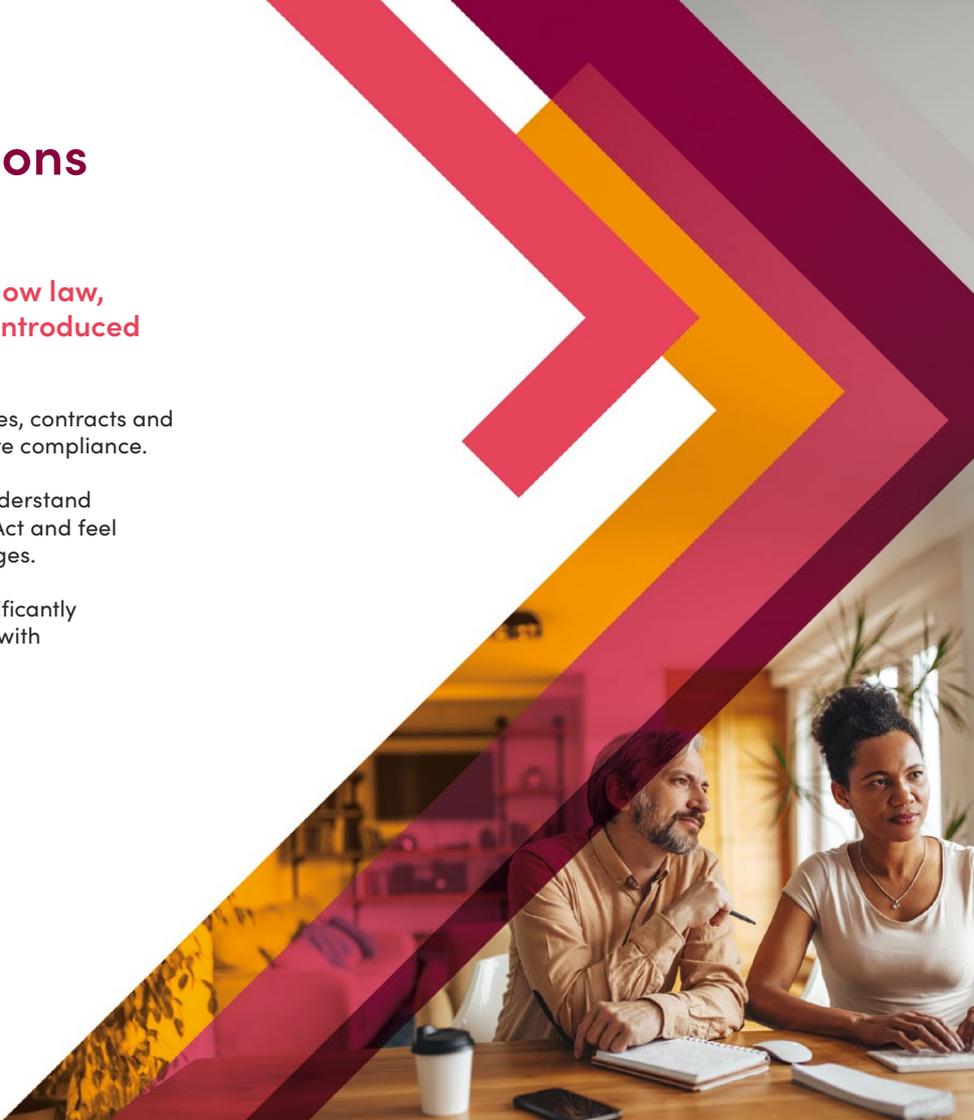
Start your preparations straight away

Although the Renters' Rights Act is now law, many of the new regulations will be introduced in stages.

Understanding the Act, reviewing your properties, contracts and procedures and preparing early will help ensure compliance.

Our team is here to support you so that you understand your responsibilities under the Renters' Rights Act and feel confident in implementing the necessary changes.

Preparation is essential, as the reforms will significantly reshape the private rental sector. Get in touch with us to ensure you are ready.



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