

Renters' Rights Act

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The Renters' Rights Act 2025 has now become law and will overhaul the private rented sector in England. It will abolish Section 21 'no-fault' evictions, make all assured tenancies periodic and introduce new rules on rent increases, pets, and property standards. This guide explains what's changing, when it will commence and how to prepare.

1. HOW TO GET POSSESSION OF YOUR PROPERTY

The Renters' Rights Act includes major changes in terms of your ability to get your property back:

Section 21 Abolished

A key change in the Renters' Rights Act is the end of Section 21 Evictions. Under the Renters' Rights Act, landlords can only end tenancies under specific circumstances – see below.

Periodic Tenancies

The Renters' Rights Act will remove fixed-term assured shorthold tenancies. All tenancies will become assured periodic tenancies, with tenants able to stay in their home until they decide to end the tenancy by giving a minimum 2 months' notice.

Grounds for Possession

The Renters' Rights Act sets out the grounds landlords can use to evict tenants and the notice period they must give. For example:

Grounds	Summary	Notice Period
Occupation by landlord or family	The landlord or their close family member wishes to move into the property. Cannot be used for the first 12 months of a new tenancy.	4 Months
Sale of property	The landlord wishes to sell the property. Cannot be used for the first 12 months of a new tenancy.	4 Months

How will a landlord regain possession in future?

There are other changes to be aware of under the Renters' Rights Act. For example, new protections will be introduced for tenants who temporarily fall into rent arrears. The mandatory threshold for eviction will be increased from 2 to 3 months' arrears and the notice period increased from 2 weeks to 4 weeks. Landlords can also continue to use the discretionary rent arrears grounds, for example if rent is repeatedly late.

2. HOW TO INCREASE RENTS UNDER THE RENTERS' RIGHTS ACT

Under the Renters' Rights Act landlords can still increase the amount of rent charged to tenants but they will need to meet strict criteria:

- Landlords will be able to increase rents once per year in line with the market rate. This is defined by the government as *'the price that would be achieved if the property was newly advertised to let'*.
- To do this, landlords must serve a Section 13 notice, setting out the new rent and giving at least 2 months' notice.
- Tenants can challenge the increase at a First-tier Tribunal (Property Chamber) if they believe it exceeds market rate. Under the current system, tenants face the risk that the Tribunal may increase rent beyond what the landlord initially proposed. However, under the Renters' Rights Act, tenants will never pay more than what the landlord asked for.
- Backdating rent increases will also be scrapped – the new rent will apply from the date of the Tribunal determination.

3. 'RENT IN ADVANCE BANNED'

Landlords will no longer be able to ask for large amounts of rent in advance from tenants looking to secure a tenancy in England. Once enacted, the Renters' Rights Act will amend the Tenant Fees Act 2019 to stop landlords or letting agents from requiring or accepting any payment of rent in advance of the tenancy being entered into.

A landlord will only be able to require up to one month's rent once a tenancy agreement has been signed and before commencement.

Also, landlords and agents must publish an asking rent and cannot ask for or accept offers above it.

Note that these rules only affect NEW tenancies. Clauses that require tenants to pay rent in advance (eg quarterly, six-monthly) for EXISTING tenancies in place before the commencement date will still be valid.

4. RENTAL DISCRIMINATION PROHIBITED

Landlords will not be able to discriminate against tenants who are in receipt of benefits or have children, whether this discrimination happens openly or indirectly.

The Renters' Rights Act sets out that landlords will still have the final say on who to let their property out to and to carry out referencing checks to make sure tenancies are sustainable for all parties. However, it states 'they will be able to do this based on affordability, but not on the basis the prospective tenant has children or is in receipt of benefits.'

5. MORE RIGHTS TO RENT WITH PETS

Another change in the Renters' Rights Act is that landlords must not unreasonably withhold consent when a tenant requests to keep a pet and the tenant will be able to challenge unfair decisions.

6. PRIVATE RENTED SECTOR LANDLORD OMBUDSMAN INTRODUCED

A new Private Rented Sector Landlord Ombudsman Service will be introduced which all private landlords in England with assured or regulated tenancies will be required by law to join.

- Tenants will be able to use the service for free to complain about a landlord's actions or behaviour.
- It will offer fair, impartial and binding resolution for tenants, and will have powers to compel landlords to issue an apology, provide information, take remedial action, and/or pay compensation.
- Landlords will be required to comply with ombudsman decisions.
- Local councils will be able to take action against landlords who fail to join, or against anyone who markets a privately rented property where the landlord is not registered. This will include fines of up to £7,000 for initial breaches and up to £40,000 or criminal prosecution for continuing or repeated breaches.

7. INTRODUCTION OF A PRIVATE RENTAL SECTOR LANDLORD DATABASE

A new Private Rented Sector Database will be introduced under the Renters' Rights Act during Phase 2 of the government's implementation schedule.

Much like the new ombudsman, it will be a mandatory requirement for all private landlords of assured and regulated tenancies to sign up with an annual fee required to be paid by landlords.

The exact data landlords will need to provide is still to be confirmed but we will update you once we know more.

Landlords who fail to register on the database will not be able to seek a possession order except on grounds 7A or grounds 14 (Tenant anti-social behaviour) with councils also able to take enforcement action against landlords. If a landlord lets or advertises a property without it first being registered on the database, councils can issue fines up to £7,000 for initial breaches and up to £40,000 or criminal prosecution for continued or repeated breaches.

WHEN WILL THE RENTERS RIGHTS ACT COME INTO EFFECT?

The Renters' Rights Act became law on the 27th October 2025. Since then the Government has provided details on how and when the law will be implemented with the legislation taking a phased approach as below:

Phase 1:

1st May 2026

The main legislative changes will apply as below

- All Fixed Term tenancy agreements will move to a periodic agreement.
- Section 21 Notice will no longer be useable
- Section 8 Grounds for possession altered and extended
- New rules for Section 13 rent increases
- Ban's on rental bidding & rent in advance
- Changes to discrimination rules for applicants who have children, receive benefits or request a pet.
- Councils in England will be legally responsible for overseeing new rights within the Renters Rights Act.

Phase 2:

Late 2026

- The introduction of a PRS landlord database & Landlord Ombudsman

Phase 3:

Between 2035 – 2037

- Awaab's Law will be extended to PRS properties
- The Decent homes standard will be updated to include all PRS properties

WHAT WE WILL BE DOING NEXT

We are in the process of speaking to all of our landlords and tenants about the upcoming changes to the Private Rental Sector and how we can support them moving forwards. This work will continue in the coming weeks. We will be updating our website, blogs and relevant material as of when we have clarity on the 2nd stage and its implementation.

If you have any queries, please do not hesitate to contact us.



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Disclaimer

Please note the information in this document has been collated from a number of different sources. Whilst every effort has been taken to check the accuracy of the same, Robsons Residential Letting Limited accepts no liability for any errors, omissions, or misleading statements.

We would recommend that you review the following:

www.gov.uk/government/publications/guide-to-the-renters-rights-act

Information Correct as of December 2025

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