

Government has changed the law so most renters have a 6 month notice period

The government is continuing to help renters with an unprecedented package of support measures.

Legislation has now been introduced, so landlords must now give tenants 6 months' notice before they can evict until March 2021, except in the most serious of cases, such as incidents of anti-social behaviour and domestic abuse perpetrators.

The stay on possession proceedings has been extended until 20 September, meaning that in total no tenant can have been legally evicted for 6 months at the height of the pandemic.

The package of support for renters includes the extension of notice periods and the extension to the stay on possession proceedings. For the most egregious cases, notice periods have returned to their pre-coronavirus levels, and landlords will be able to progress serious rent arrears cases more quickly.

These changes mean that from 29 August, landlords must provide at least 6 months' notice period prior to seeking possession through the courts in most cases, including section 21 evictions and rent arrears under 6 months.

Notices served on and before 28 August are not affected by these changes, and must be at least 3 months.

The government is also helping landlords affected by the worst cases to seek possession; these are:

- anti-social behaviour (now 4 weeks' notice)
- domestic abuse (now 2 to 4 weeks' notice)
- false statement (now 2 to 4 weeks' notice)
- over 6 months' accumulated rent arrears (now 4 weeks' notice)
- breach of immigration rules 'Right to Rent' (now 3 months' notice)

In addition, new court rules have been agreed, which will come into force on 20 September meaning landlords will need to set out in their claim any relevant information about a tenant's circumstances, including information on the effect of the COVID-19 pandemic. Where this information is not provided, judges will have the ability to adjourn proceedings.

Secretary of State for Housing, Rt Hon Robert Jenrick MP said:

We have developed a package of support for renters to ensure they continue to be protected over winter. I have changed the law so that renters are protected by a 6 month notice period until March 2021.

No tenant will have been legally evicted for 6 months at the height of the pandemic as the stay on possession proceedings has been extended until 20 September. For the most egregious cases, for example those involving anti-social behaviour or domestic abuse perpetrators, notice periods have returned to their normal level, and landlords will be able to progress serious rent arrears cases more quickly.

These changes will support landlords to progress the priority cases while keeping the public safe over winter. We will keep these measures under review and decisions will continue to be guided by the latest public health advice.

The new legislation applies to both the private and social rented sectors in England, and to all new notices in relation to assured, assured shorthold, secure, flexible, introductory and demoted tenancies and those under the Rent Act 1977, but not to any notices issued before the legislation comes into force.

Courts will carefully prioritise the most egregious cases, including anti-social behaviour, fraud, and domestic abuse, ensuring landlords are able to progress the most serious cases, such as those involving anti-social behaviour and other crimes.

If a landlord made a claim to the court before 3 August, they must notify the Court and their tenant that they still intend to seek repossession before the case will proceed, including in section 21 cases.

More detailed guidance on using the courts and the new arrangements will be made available in advance of possession proceedings starting again.

We are conscious of the pressure on landlords during this difficult time and do not want to exacerbate this. Of course, it is important that tenants who are able to do so must continue to pay their rent.

The government has put in place an unprecedented support package to support tenants to pay their living costs, such as the Coronavirus Job Retention Scheme, £9.3 billion of additional support through the welfare system, and increasing the Local Housing Allowance rate to the 30th percentile.

We are committed to bringing forward the Renters Reform Bill to abolish section 21 and deliver a fairer and more effective rented sector in due course. However, such legislation must balance greater security of tenure with an assurance that landlords are able to recover their properties where they have valid reasons to do so.

We have been working closely with the judiciary through a Master of the Rolls led Working Group to finalise the arrangements on the prioritisation of cases, for when the stay on possession proceedings lifts from 20 September.

29 August, landlords must provide at least 6 months' notice period prior to

seeking possession through the courts in most cases, including section 21 evictions and rent arrears under 6 months. We have also extended the validity of a section 21 notice from 6 to 10 months to accommodate this change.