

News story: Government welcomes landmark law which will improve the safety of tenants

A new law that will help to boost standards in rented homes and give tenants more powers to hold their landlord to account has been welcomed by Housing and Homelessness Minister, Heather Wheeler MP today (20 December 2018).

Under the Homes (Fitness for Human Habitation) Act, landlords of both social and privately rented properties must make sure that their properties meet certain standards at the beginning and throughout a tenancy. If they fail to do this, tenants have the right to take legal action – making this a landmark moment for the rented sector.

The Private Members' Bill, which has received Royal Assent today, supports ongoing government action to protect tenants and drive up standards in rented properties.

Minister for Housing and Homelessness, Heather Wheeler MP said:

Everyone deserves a safe and decent place to live, regardless of whether you own your home or rent it.

That's why government has introduced a range of measures to help ensure that people who are renting have good quality and well-maintained properties to call home.

This new law is a further step to ensure that tenants have the decent homes they deserve.

The government has introduced a range of powers for local authorities to enable them to crack down on the small minority of rogue landlords and agents who let unfit properties. This includes fixed financial penalties of up to £30,000 and banning orders – possibly for life – for the most serious offenders.

We have also extended mandatory licensing for Houses in Multiple Occupation (HMOs) to improve living conditions of tenants in shared homes and tightened up rules on smoke and carbon monoxide detectors. Private tenants can also apply for a refund of up to twelve months' rent if their landlord does not deal with health and safety hazards in their home.

We are also banning unfair letting fees and capping tenancy deposits, saving renters around £240 million a year. The [Tenant Fees Bill](#), currently making its way through Parliament, will bring an end to unnecessary, costly fees imposed by landlords or property agents. This will stop tenants being charged unnecessarily and put hard-earned cash back in their pockets.

Other government steps to reform and improve renting include:

- The launch of a national database of rogue landlords and agents to keep track of those that are renting out unsafe and substandard accommodation;
- A comprehensive review of the rating system used by local authorities to assess the presence of serious risks to the health and safety of occupants;
- Mandatory client money protection – by which rental money held by letting agents is safeguarded against theft and fraud – for all agents;
- Requirement for all landlords to belong to a mandatory redress scheme and;
- New, mandatory five yearly electrical installation safety inspections

This is all part of ongoing government activity to make the private rented sector fairer and more transparent – making a housing market that works for everyone.

Further Information

- The government has worked with Karen Buck MP and has received cross-party support to draft and publish the Homes (Fitness for Human Habitation) Bill.

The Bill ensures:

- That all landlords (both social and private sector) must ensure that their property is fit for human habitation at the beginning of the tenancy and throughout; and
- Where a landlord fails to do so, the tenant has the right to take legal action in the courts for breach of contract on the grounds that the property is unfit for human habitation.
- The Housing and Planning Act 2016 introduced a range of measures to tackle rogue landlords:
- Banning orders to stop rogue landlords renting out in future – with potential unlimited fines and prison sentences if these are breached;
- Civil penalties of up to £30,000 as an alternative to prosecution to punish landlords for serious offences – came into force April 2017;
- Extended Rent Repayment Orders to cover illegal eviction and failure to comply with a statutory notice – and, from April 2018, breach of banning order – came into force in April 2017.
- Our rogue landlord database has been operational since April 2018 and is available for use by councils to crack down on poor and unfair practice in the private rented sector, and to help target their enforcement action. We have committed to making information held on the database available to the public when Parliamentary time allows.
- In October 2018, we extended the existing licensing scheme for HMOs to protect tenants from overcrowding and poor housing conditions, including in smaller HMOs, and set out [new rules](#) on bedroom sizes and rubbish storage space.
- In October 2018, we also [announced reviews](#) of the Housing Health and Safety Rating System (HHSRS) used by local authorities to assess whether

a property contains potentially serious risks to the health and safety of the occupant and of carbon monoxide alarm requirements in the home.

- The Tenant Fees Bill will help to make the lettings market fairer and protect tenants from significant fees at the outset, renewal and termination of a tenancy. The Bill successfully passed through the House of Commons with cross-party support and is now progressing through the House of Lords. Implementation is subject to Parliamentary timetables although it is expected in 2019.
- Our consultation Strengthening consumer redress in the housing market looked at how we could make seeking [redress clearer and simpler](#) for consumers. We are considering the responses to the consultation and will respond shortly.
- In July 2018, we announced that we will require all private landlords to carry out five yearly mandatory electrical installation checks. We are working to bring these [regulations](#) into force as soon as possible, subject to Parliamentary approval and timetables.
- We recently consulted on overcoming the barriers to longer tenancies in the private rented sector and sought views on a three year longer tenancy model. We are considering the responses to the [consultation](#) and will respond shortly.