

Renters' Rights Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

The amendments have been marshalled in accordance with the Instruction of 4th February 2025, as follows –

Clauses 1 to 4	Schedule 4
Schedule 1	Clause 102
Clauses 5 to 31	Schedule 5
Schedule 2	Clauses 103 to 146
Clauses 32 to 74	Schedule 6
Schedule 3	Clauses 147 to 149
Clauses 75 to 101	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Before Clause 1

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

1★ Before Clause 1, insert the following new Clause –

“Purpose

- (1) The purpose of this Act is to improve the ability of renters in the rented sector to obtain secure, fairly priced and decent quality housing.
- (2) The Secretary of State must, in taking any actions under the provisions of this Act, have regard to this purpose.”

Member's explanatory statement

This amendment would place a duty on the Secretary of State to have regard to the purpose of the Act, namely, improving the ability of renters to obtain secure, fairly priced and decent quality housing.

Clause 1

LORD TRUSCOTT
LORD STRASBURGER

- 2 Clause 1, page 1, line 11, after second “tenancy” insert “of longer than 12 months”

Member's explanatory statement

This amendment seeks to allow fixed term tenancies of up to 12 months, as an alternative to the abolition of fixed terms.

LORD CROMWELL

- 3 Clause 1, page 1, line 11, after second “tenancy” insert “, unless the landlord and tenant have reached a voluntary extension agreement in accordance with subsections (1A) to (1F)”

Member's explanatory statement

This amendment and another in the name of Lord Cromwell seeks to ensure on the face of the Bill that the tenant is able to request (after four months of occupancy) a voluntary extension agreement with a specified term. The tenant would retain the ability to leave on two months' notice, and the landlord would voluntarily limit rights of recovery to the anti-social behaviour and not paying rent grounds, thereby incentivising an uninterrupted occupancy.

LORD SHIPLEY

- 4 Clause 1, page 1, line 11, after second “tenancy” insert “of longer than six months”

Member's explanatory statement

This is a probing amendment that would limit the provision to tenancies with a term longer than six months, in order to clarify the Government's rationale for abolishing fixed-term tenancies.

LORD SHIPLEY

- 5 Clause 1, page 1, line 11, after second “tenancy” insert “of longer than two months”

Member's explanatory statement

This is a probing amendment that would limit the provision to tenancies with a term longer than two months, in order to clarify the Government's rationale for abolishing fixed-term tenancies.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 6 Clause 1, page 1, line 11, after second “tenancy” insert “of longer than three months”

Member's explanatory statement

This amendment seeks to probe whether the Government would consider allowing fixed term tenancies of up to three months to ensure that very short-term lets, on which certain groups rely, can continue.

BARONESS SCOTT OF BYBROOK

- 7 Clause 1, page 1, line 13, at end insert “unless the tenant meets the student test when the tenancy is entered into.

(1A) For the purposes of this section, a tenant who meets the student test when a tenancy is entered into has the same meaning as in Ground 4A.”

Member's explanatory statement

This amendment would allow student tenancies to remain as fixed tenancies to provide the certainty that both student tenants and student landlords require.

BARONESS SCOTT OF BYBROOK
LORD JACKSON OF PETERBOROUGH

- 8 Clause 1, page 1, line 13, at end insert “unless the landlord acts as a landlord for fewer than five properties.”

Member's explanatory statement

This amendment would allow small landlords, who are less likely to have capacity to fund legal proceedings, to continue to be able to issue Section 21 notices.

BARONESS SCOTT OF BYBROOK
LORD TRUSCOTT
LORD JACKSON OF PETERBOROUGH
LORD CARRINGTON

- 9 Clause 1, page 1, line 13, at end insert “, unless the landlord and the tenant mutually agree to have a fixed term during which period the landlord agrees to suspend the ability to seek possession under Ground 1 (Occupation by landlord or family), Ground 1A (Sale of dwelling-house) or Ground 6 (Redevelopment) of Schedule 2.

(1A) During a fixed term tenancy agreed under subsection (1), the landlord shall not be entitled to increase the rent as provided for by section 15.”

Member's explanatory statement

This amendment would allow fixed term tenancies to continue if both the landlord and the tenant agree.

LORD DAVIES OF GOWER

10★ Clause 1, page 1, line 13, at the end insert –

“unless the tenant holds a rank under Section 13 of the Police Act 1996 when the tenancy is entered into.”

Member's explanatory statement

This amendment would allow fixed term tenancies for all ranks in the police to continue reflecting the fact that the police are often deployed away from their usual place of residence.

LORD MOYNIHAN

11★ Clause 1, page 1, line 13, at the end insert –

“unless the tenant is a professional athlete or holds a professional sports contract when the tenancy is entered into.”

Member's explanatory statement

This amendment would allow fixed term tenancies for professional sports athletes to continue.

LORD CROMWELL

12 Clause 1, page 1, line 13, at end insert –

- “(1A) At any date after four months of an assured tenancy the tenant may request in writing to the landlord a voluntary extension agreement with a specified term.
- (1B) The landlord is not obligated to accept the request, but if they do it must be done in writing.
- (1C) Under the extension the tenant will have security of tenure for the extension period so long as they –
 - (a) continue to pay the agreed rent, and
 - (b) do not engage in anti-social behaviour as defined in ground 14 of Schedule 2 of this Act.
- (1D) The tenant must have right to end the tenancy by giving two months' written notice.
- (1E) The landlord will not be able to recover their property during the agreed extension period on grounds other than those set out in subsection (1C)(a) and (b).
- (1F) At the end of the extension period the tenancy will become subject to the terms of tenancies as set out in this Act unless a further extension is requested by the tenant and agreed by the landlord as provided for in subsections (1A) and (1B).”

Member's explanatory statement

This amendment and another in the name of Lord Cromwell seeks to ensure on the face of the Bill that the tenant is able to request (after four months of occupancy) a voluntary extension agreement with a specified term. The tenant would retain the ability to leave on two months' notice, and the landlord would voluntarily limit rights of recovery to the anti-social behaviour and not paying rent grounds, thereby incentivising an uninterrupted occupancy.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 13 Clause 1, page 2, line 21, leave out “Except as provided by subsections (1) and (3),”

Member's explanatory statement

This amendment would allow landlords and tenants to vary a term of their tenancy by agreement.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

The above named Lords give notice of their intention to oppose the Question that Clause 1 stand part of the Bill.

Member's explanatory statement

This amendment probes why the Government is seeking to end certain types of assured tenancy.

Clause 2

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 14 Clause 2, page 2, line 30, leave out paragraph (a)

Member's explanatory statement

This amendment would retain social landlords' ability to apply for a demotion order in response to the anti-social behaviour of a tenant.

BARONESS GRENDER

- 15 Leave out Clause 2 and insert the following new Clause —

“Assured tenancy exemption: new build properties

Assured shorthold tenancies are abolished except in relation to premises whose current tenants are the first tenants since the construction of the premises, and only for the period of six months beginning with the day on which the tenancy began.”

Member's explanatory statement

This amendment would allow an assured short-term tenancy for six months after a premises is constructed.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

The above named Lords give notice of their intention to oppose the Question that Clause 2 stand part of the Bill.

Member's explanatory statement

This amendment probes why the Government is seeking to abolish assured shorthold tenancies.

Clause 3

LORD JACKSON OF PETERBOROUGH

- 16★ Clause 3, page 3, line 6, leave out from “tenancy” to end of line 8

Member's explanatory statement

This amendment seeks to probe the government's rationale for introducing retroactive legislation.

LORD JACKSON OF PETERBOROUGH

- 17★ Clause 3, page 3, line 18, leave out from “tenancy” to end of line 20

Member's explanatory statement

This amendment seeks to probe the government's rationale for introducing retroactive legislation.

LORD JACKSON OF PETERBOROUGH

- 18★ Clause 3, page 3, line 42, leave out from “date” to end of line 43

Member's explanatory statement

This amendment seeks to probe the government's rationale for introducing retroactive legislation.

LORD YOUNG OF COOKHAM

- 19 Clause 3, page 4, line 4, at end insert —

“(7A) Any regulations made under subsection (7) must make specific provision for shared ownership leases.”

Member's explanatory statement

This amendment probes what effect the Secretary of State considers clauses 1 and 2 will have on shared ownership leaseholders who currently rent out their apartments under licences.

LORD YOUNG OF COOKHAM

20 Clause 3, page 4, line 22, at end insert —

““shared ownership lease” has the same meaning as in section 13 of the Landlord and Tenant Act 1985;”

Member's explanatory statement

This amendment probes what effect the Secretary of State considers clauses 1 and 2 will have on shared ownership leaseholders who currently rent out their apartments under licences.

BARONESS TAYLOR OF STEVENAGE

Baroness Taylor of Stevenage gives notice of her intention to oppose the Question that Clause 3 stand part of the Bill.

Member's explanatory statement

The provision made by clause 3 is replaced by the new Part 2 that would be inserted into Schedule 6 by the amendment in my name.

Clause 4

BARONESS TAYLOR OF STEVENAGE

21 Clause 4, page 5, leave out lines 6 and 7 and insert “a tenancy to which the Agricultural Holdings Act 1986 applies (“the agricultural tenancy”),”

Member's explanatory statement

This brings the wording in this provision into line with the definitions used in the Agricultural Holdings Act 1986.

BARONESS TAYLOR OF STEVENAGE

22 Clause 4, page 5, line 10, at end insert —

“(ba) the assured tenancy was granted immediately after the agricultural tenancy came to an end, and”

Member's explanatory statement

This means that only an assured tenancy granted by the former agricultural landlord immediately after the end of a tenancy of a smallholding to which the Agricultural Holdings Act 1986 applies will be subject to the restricted grounds of possession.

BARONESS TAYLOR OF STEVENAGE

23 Clause 4, page 5, line 22, at end insert —

“(5ZB) The court may not make an order for possession of a dwelling-house let on an assured tenancy on any of Grounds 1 to 5H or Ground 6A where, on the

basis of the proposed let of the dwelling-house on that tenancy, the dwelling-house was deemed to be suitable alternative accommodation under paragraph 1(c) of Part 4 of Schedule 2 to the Housing Act 1985 for the purposes of section 84(2)(b) and (c) of that Act.”

Member's explanatory statement

This restricts the grounds of possession that will be available in relation to a tenancy when the proposed tenancy was deemed to be suitable alternative accommodation for the purposes of enabling an order of possession to be made of premises let under a secure tenancy.

BARONESS WARWICK OF UNDERCLIFFE

24 Clause 4, page 5, line 22, at end insert –

“(5ZB) The court may not make an order for possession of a dwelling-house on Ground 6B (whether or not an order is also sought on any other ground) where the landlord has not complied with section 11A of this Act.”

Member's explanatory statement

This amendment would make possession under ground 6B contingent on compensation being paid, rather than compensation being dependent on court proceedings.

BARONESS TAYLOR OF STEVENAGE

25 Clause 4, page 5, line 26, at end insert –

“(5AA) The court may not make an order for possession of a dwelling-house let on an assured tenancy granted in accordance with section 554(3)(c) (before its repeal) or (ca) of the Housing Act 1985 on any of Grounds 1 to 5H or Ground 6A.”

Member's explanatory statement

This restricts the grounds that are available where premises are let on an assured tenancy which is granted to the former owner-occupier of a defective dwelling under section 554 of the Housing Act 1985.

BARONESS THORNHILL

26 Clause 4, page 6, line 14, at end insert –

“(5E) Where the court makes an order for possession on grounds 1 or 1A in Schedule 2 (whether with or without other grounds), the order must include a requirement on the landlord to file and serve evidence no later than sixteen weeks from the date of the order.

(5F) Evidence provided under subsection (5E) must –

(a) provide details of –

(i) the state of occupation of the dwelling-house since the date of the order, and

- (ii) the progress of any sale of the dwelling-house, and
- (b) be accompanied by a statement of truth signed by the landlord.”

Member's explanatory statement

This amendment requires landlords to submit verified evidence within 16 weeks of a possession order, detailing the property's occupancy status and progress of any sale, to ensure accountability under grounds 1 or 1A.

BARONESS THORNHILL

27 Clause 4, page 6, line 15, at end insert —

“(2A) After section 7 of the 1988 Act, insert —

“7A Evidential requirements for Grounds 1 and 1A

- (1) The court must not make an order for possession on grounds 1 or 1A in Schedule 2 unless the landlord has complied with subsections (2) to (4).
- (2) Where the landlord has served a notice for possession on grounds 1 or 1A, the court must be provided with evidence verified by a statement of truth signed by the landlord.
- (3) Where the landlord has served a notice for possession on ground 1 and the dwelling house is required by a member of the landlord's family as defined in paragraphs 2(b) to (d) of that ground, the court must be provided with evidence verified by a statement of truth signed by that family member.
- (4) Where the landlord has served a notice for possession on ground 1A, the evidence referred to in subsection (2) must include a letter of engagement from a solicitor or estate agent concerning the sale of the dwelling house.””

Member's explanatory statement

This amendment introduces evidential requirements for possession orders under grounds 1 and 1A, requiring landlords to provide verified evidence, including a signed statement of truth and, for ground 1A, a solicitor or estate agent's engagement letter for the property sale.

LORD CARRINGTON

28 Clause 4, page 6, line 34, before “5” insert “2ZZA,”

Member's explanatory statement

This amendment, along with other amendments related to new Ground 2ZZA in the name of Lord Carrington, seeks to ensure would ensure that where the intermediate landlord is given less than 3 months' notice to quit, the duration of any notice they are required to give to their tenant is limited to 2 months.

LORD CARRINGTON

- 29 Clause 4, page 7, line 2, after “2ZA” insert “or Ground 2ZZA”

Member's explanatory statement

This amendment, along with other amendments related to new Ground 2ZZA in the name of Lord Carrington, seeks to ensure that where the intermediate landlord is given less than 3 months' notice to quit, the duration of any notice they are required to give to their tenant is limited to 2 months.

BARONESS WARWICK OF UNDERCLIFFE

- 30 Clause 4, page 7, leave out lines 27 to 38 and insert –

- “(1) This section applies where a landlord seeks an order for possession of a dwelling-house let on an assured tenancy on Ground 6B in Schedule 2 to this Act (whether or not the order is also sought on any ground).
- (2) Subject to subsection (3) below, the landlord must pay compensation to the tenant –
 - (a) in such circumstances, and
 - (b) of such quantity
 as set by the Secretary of State by regulations.
- (3) The Secretary of State must by regulations set the level of compensation owed to the tenant and the circumstances in which compensation is owed under subsection (2) above.”

Schedule 1

BARONESS GRENDER

- 31 Schedule 1, page 167, line 6, at end insert –

- “1A In the heading of Part I, remove “must” and substitute “may”.
- 1B Omit the heading of Part II.”

Member's explanatory statement

This amendment makes all grounds for repossession discretionary.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 32★ Schedule 1, page 167, line 17, after “landlord’s” insert “or the landlord’s spouse’s, or civil partner’s, or co-habitee’s”

Member's explanatory statement

This amendment, and others in the name of Baroness Scott of Bybrook, seeks to apply the same definition of family member which is used in Clause 21 of the Act in Schedule 1 to ensure the internal consistency of this Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

33★ Schedule 1, page 167, line 22, at end insert—

- “(vi) niece or nephew;
- (vii) aunt or uncle;
- (viii) cousin;”

Member's explanatory statement

This amendment, and others in the name of Baroness Scott of Bybrook, seeks to apply the same definition of family member which is used in Clause 21 of the Act in Schedule 1 to ensure the internal consistency of this Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

34★ Schedule 1, page 167, line 26, at end insert—

“In sub-paragraph (c) one person (C) is a “co-habitee” of another person (P) if P lives with C as if they were married or in a civil partnership; a “niece or nephew” of a person (P) is a child of a sibling of P, or of a person who is the spouse, civil partner or co-habitee of a sibling of P; an “aunt or uncle” of a person (P) is a sibling of a parent of P; a “cousin” of a person (P) is a child of an aunt or uncle of P; or of a person who is the spouse, civil partner or co-habitee of an aunt or uncle of P; “sibling” includes a step-sibling.”

Member's explanatory statement

This amendment, and others in the name of Baroness Scott of Bybrook, seeks to apply the same definition of family member which is used in Clause 21 of the Act in Schedule 1 to ensure the internal consistency of this Act.

BARONESS JONES OF MOULSECOOMB

35 Schedule 1, page 168, line 34, at end insert—

- “(e) if improvement works are undertaken to the dwelling-house that are facilitated in whole or in part by an energy efficiency grant scheme, a period of 2 years or more have elapsed since the completion of such improvement works to the dwelling-house.”

BARONESS TAYLOR OF STEVENAGE

- 36 Schedule 1, page 170, line 18, leave out from “under” to “or” in line 20 and insert “a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 which is a tenancy to which that Act applies”

Member's explanatory statement

This brings this provision into line with the definitions used in the Agricultural Holdings Act 1986.

LORD CARRINGTON

- 37 Schedule 1, page 170, line 27, at end insert—

“(c) This Ground does not apply to an agricultural tenancy within the meaning of the Agricultural Holdings Act 1986 or a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 where the superior landlord has been given a valid notice to terminate that tenancy within the period of 3 months’ or less.”

Member's explanatory statement

This amendment, along with other amendments related to new Ground 2ZZA in the name of Lord Carrington, seeks to ensure that where the intermediate landlord is given less than 3 months’ notice to quit, the duration of any notice they are required to give to their tenant is limited to 2 months.

LORD CARRINGTON

- 38 Schedule 1, page 170, line 27, at end insert—

“Ground 2ZZA

The landlord who is seeking possession holds the interest in the dwelling-house under a superior tenancy which is an agricultural tenancy within the meaning of the Agricultural Holdings Act 1986 or a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 and the landlord has been given 3 months’ or less notice to quit the holding on which the dwelling is located.”

Member's explanatory statement

This amendment, along with other amendments related to new Ground 2ZZA in the name of Lord Carrington, seeks to ensure that where the intermediate landlord is given less than 3 months’ notice to quit, the duration of any notice they are required to give to their tenant is limited to 2 months.

BARONESS TAYLOR OF STEVENAGE

- 39 Schedule 1, page 171, line 10, leave out from “under” to “or” in line 12 and insert “a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 which is a tenancy to which that Act applies”

Member's explanatory statement

This brings this provision into line with the definitions used in the Agricultural Holdings Act 1986.

LORD WILLETTS
LORD SHIPLEY
BARONESS WOLF OF DULWICH
BARONESS WARWICK OF UNDERCLIFFE

- 40 Schedule 1, page 172, leave out line 13

Member's explanatory statement

This amendment would remove the restriction of Ground 4A to accommodation of three or more bedrooms only.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 41★ Schedule 1, page 172, leave out lines 16 to 25

Member's explanatory statement

This amendment probes why the right to recover a property is conditional upon a written statement being issued before the tenancy begins.

LORD EVANS OF RAINOW

- 42★ Schedule 1, page 172, line 31, leave out “six” and insert “nine”

Member's explanatory statement

This amendment probes why the government believe six months is suitable cut off for 4A, the new ground for possession, being available to landlords.

LORD EVANS OF RAINOW

- 43★ Schedule 1, page 172, line 31, leave out “six” and insert “12”

Member's explanatory statement

This amendment probes why the government believe six months is suitable cut off for 4A, the new ground for possession, being available to landlords.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 44★ Schedule 1, page 172, leave out lines 32 to 33

Member's explanatory statement

This amendment probes the suitability of the timeframe selected by government.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 45★ Schedule 1, page 172, line 38, leave out “, (c)”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 46★ Schedule 1, page 173, line 14, at end insert—

“(d) of any description mentioned within section A1 (Meaning of “approved English apprenticeship” etc) of the in the Apprenticeships, Skills, Children and Learning Act 2009”

Member's explanatory statement

This amendment probes why the full-time student test is restricted to university education.

BARONESS TAYLOR OF STEVENAGE

- 47 Schedule 1, page 173, line 14, at end insert—

“In a case where, because of paragraph 8(7) of Schedule 1 to the 1988 Act, a tenancy becomes an assured tenancy, the condition in paragraph (c) of the first paragraph of this ground is met if the written statement referred to there is given within the period of 28 days beginning with the date on which the tenancy becomes an assured tenancy.”

Member's explanatory statement

This is consequential on the amendment to clause 34 in my name.

LORD CARRINGTON
THE EARL OF LEICESTER

- 48 Schedule 1, page 173, line 30, leave out “a person” and insert “an agricultural worker”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house to house their agricultural worker regardless of the worker's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON
THE EARL OF LEICESTER

- 49 Schedule 1, page 173, line 30, leave out “employed” and insert “working for a business operated”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house to house their agricultural worker regardless of the worker's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON
THE EARL OF LEICESTER
LORD ROBOROUGH

- 50 Schedule 1, page 173, line 32, after “landlords,” insert “as a service occupant or”

Member's explanatory statement

This amendment would allow possession where the property is required for housing a person who, for the better performance of their duties of work, is required to be, or is by custom, housed by their employer.

LORD CARRINGTON
THE EARL OF LEICESTER

- 51 Schedule 1, page 173, line 33, leave out “employee” and insert “agricultural worker”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house to house their agricultural worker regardless of the worker's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON
LORD COLGRAIN
LORD ROBOROUGH

- 52 Schedule 1, page 173, line 35, at end insert “and “agricultural worker” means an employee, worker or self-employed person who is employed or contracted to carry out agricultural activities for the business operated by the landlord”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house to house their agricultural worker regardless of the worker's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON

53 Schedule 1, page 173, line 35, at end insert—

“For the purposes of this ground, “service occupant” means an employee whose contract of employment requires them to occupy the dwelling-house provided for the better performance of their duties.”

Member's explanatory statement

This amendment would allow possession where the property is required for housing an employee who is required by their contract of employment to occupy the property for the better performance of their duties of work. This definition of service occupant mirrors the position in common law.

LORD CARRINGTON

54 Schedule 1, page 174, line 14, after “tenant’s” insert “work or”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house when the tenant stops working for the landlord, regardless of the tenant's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON

55 Schedule 1, page 174, line 22, after “that” insert “work or”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house when the tenant stops working for the landlord, regardless of the tenant's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON

56 Schedule 1, page 174, line 24, after “their” insert “work or”

Member's explanatory statement

This amendment, long with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house

when the tenant stops working for the landlord, regardless of the tenant's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON

- 57 Schedule 1, page 174, line 27, after “future” insert “worker, self-employed person or”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house when the tenant stops working for the landlord, regardless of the tenant's employment status (i.e. employee, worker, self-employed person or contractor).

LORD CARRINGTON

- 58 Schedule 1, page 174, line 29, at end insert “or the person with whom the contract for work was entered into”

Member's explanatory statement

This amendment, along with other amendments related to new grounds for possession for occupation in the name of Lord Carrington, seeks to enable the landlord to gain possession of the dwelling-house when the tenant stops working for the landlord, regardless of the tenant's employment status (i.e. employee, worker, self-employed person or contractor).

BARONESS TAYLOR OF STEVENAGE

- 59 Schedule 1, page 174, line 29, at end insert—

“(2A) After the second paragraph of the new Ground 5C insert—

“This ground also applies to the letting of a dwelling-house to a tenant in consequence of the tenant's service in the office of constable, but with the following modifications.

“Employment” means service in the office of constable.

In the first paragraph of this ground, in paragraph (d), “the employer” means any of the following persons—

- (a) the chief officer of a police force;
- (b) a policing body;
- (c) in relation to a constable's service under the direction and control of a person who is not a constable (the “senior person”)—
 - (i) the senior person, or
 - (ii) a person or body with the function of maintaining or securing the maintenance of the body of which the senior person is a member.

The first paragraph of this ground has effect as if the following were substituted for the second paragraph (b) –

- “(b) the tenancy was granted for a particular purpose relating to the tenant’s service as a constable and –
- (i) that purpose has been fulfilled, or
 - (ii) the tenancy is no longer required for that purpose.”

In those modifications –

- (a) “service in the office of a constable” includes a constable’s service under the direction and control of a person who is not a constable;
- (b) “chief officer of a police force” means –
 - (i) a chief officer of police (which has the same meaning as in the Police Act 1996 – see section 101(1) of that Act),
 - (ii) the chief constable of the Ministry of Defence Police,
 - (iii) the chief constable of the British Transport Police,
 - (iv) the chief constable of the Civil Nuclear Constabulary,
 - (v) the chief constable of the Police Service of Scotland, or
 - (vi) the chief constable of the Police Service of Northern Ireland;
- (c) “policing body” means –
 - (i) a local policing body (which has the same meaning as in the Police Act 1996 – see section 101(1) of that Act),
 - (ii) the Secretary of State in relation to the Ministry of Defence Police,
 - (iii) the British Transport Police Authority,
 - (iv) the Civil Nuclear Police Authority,
 - (v) the Scottish Police Authority, or
 - (vi) the Northern Ireland Policing Board.”

Member's explanatory statement

Police officers are not employees but office holders (the office of constable). This amendment expands Ground 5C so that it applies to constables as well as to employees.

LORD CARTER OF HASLEMERE
LORD HACKING
LORD CARRINGTON
BARONESS SCOTT OF BYBROOK

Schedule 1, page 186, line 38, leave out paragraphs (a) and (b)

Member's explanatory statement

Under the Bill, the threshold for rent arrears would increase from two to three months before a landlord could mandate repossession by serving notice. This amendment would maintain the existing two months mandatory possession ground for rent arrears.

LORD CARTER OF HASLEMERE

61 Schedule 1, page 186, line 41, leave out paragraph (d)

Member's explanatory statement

This amendment would continue to permit rent arrears arising from non-payment of universal credit to be used as a ground for possession.

THE LORD BISHOP OF MANCHESTER
THE EARL OF LEICESTER

62 Schedule 1, page 187, line 4, at end insert—

“New grounds for possession for occupation by person leaving tied accommodation

24A After Ground 8 insert—

“Ground 8A

The landlord seeking possession requires the dwelling-house for the purpose of housing a person—

- (a) for whom residential accommodation is provided in return or part return for the performance by that person of duties of an office or under a contract of employment or for services, and
- (b) who, on ceasing to perform those duties, is required to vacate that accommodation under the terms of the appointment to the office or of the contract.

Ground 8B

The landlord seeking possession requires the dwelling-house for the purpose of housing a person who is the surviving spouse or civil partner or a dependant of a person of the kind referred to in Ground 8A who died before being required to vacate accommodation as mentioned in that Ground.””

Member's explanatory statement

This amendment seeks to create two new mandatory grounds for possession. The first would enable possession for housing a person who is leaving tied accommodation, having left the post to which the accommodation is tied. The second ground would enable possession for the surviving spouse or civil partner or a dependant of a person who had been living in tied accommodation but died in service.

LORD CARRINGTON
THE EARL OF LEICESTER
LORD ROBOROUGH

63 Schedule 1, page 187, line 4, at end insert—

“New ground for possession for property with agreed change to non-residential use

24A After Ground 8 insert—

“Ground 8A

The landlord is seeking possession of the property or the land on which it is situated for non-residential purposes and—

- (a) there is evidence of an approved planning application for the change of use, where one is required, or
- (b) there is a permitted development right under the Town and Country Planning (General Permitted Development) (England) Order 2015 for the conversion of the property to the intended non-residential use.””

Member's explanatory statement

This amendment would allow landlords to seek possession of a dwelling-house where it is intended that the use of the property, or the land on which it is situated, be changed to non-residential and there is permission from the relevant authorities to do so. This would include uses such as office space, commercial, and retail.

LORD DE CLIFFORD
BARONESS BOWLES OF BERKHAMSTED

64 Schedule 1, page 187, line 4, at end insert—

“New ground for possession for property which is required for a carer for the landlord or landlord's family

24A After Ground 8 insert—

“Ground 8A

The landlord seeking possession requires the dwelling-house for the purpose of housing a person who is a carer for—

- (a) the landlord,
 - (b) the landlord's spouse, or
 - (c) a member of the landlord's family who is living with the landlord,
- where the dwelling-house is in sufficiently close proximity to the person requiring care to facilitate emergency callout.””

Member's explanatory statement

This new ground for possession would allow the landlord to seek possession of a dwelling house where it is needed to house a carer for the landlord, or a member of the landlord's family, and the dwelling-house is in close proximity to the person requiring care.

LORD CARRINGTON
THE EARL OF LEICESTER
LORD ROBOROUGH

65 Schedule 1, page 187, line 4, at end insert—

“New ground for possession for property which is needed to house a protected tenant

24A After Ground 8 insert—

“Ground 8A

The landlord seeking possession requires the dwelling-house for the purpose of housing a person who either—

- (a) was employed by the landlord, or in the case of joint landlords seeking possession, by at least one of those landlords, and whom the landlord has an ongoing statutory duty to house after the job has ended as provided by the Rent (Agriculture) Act 1976 or this Act, or
- (b) is the former employee’s successor under the Rent (Agriculture) Act 1976 or this Act.””

Member's explanatory statement

This new ground for possession allows possession of a property where it is needed for the landlord/s to provide Suitable Alternative Accommodation under the Rent (Agriculture) Act 1976 or this Act to a protected former employee (or their successor) whom the landlord has a lifetime duty to house.

Clause 5

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

66★ Clause 5, page 8, leave out lines 3 to 6

Member's explanatory statement

This amendment probes the Government’s objectives in creating a duty on the court to consider any co-operation between the tenant against whom an order is sought and the landlord.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

67★ Clause 5, page 8, line 10, leave out “(a)”

Member's explanatory statement

This amendment probes the Government’s reasons for seeking to apply subsection 2(a) (past impact of behaviour) in the case of shared HMO accommodation and facilities but not subsections 2(b) (continuing impact of behaviour) and 2(c) (impact of repeated behaviour).

Clause 6

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 68★ Clause 6, page 8, line 21, leave out “may” and insert “must”

Member's explanatory statement

This amendment seeks to understand in what circumstances the Government feels it would be appropriate for the Secretary of State not to publish the form or ensure the form is the up-to-date version.

After Clause 6

BARONESS SCOTT OF BYBROOK

- 69 After Clause 6, insert the following new Clause –

“Assessment of operation of possession process

- (1) The Lord Chancellor must prepare an assessment of the operation of the process by which –
 - (a) on applications made by landlords the county court is able to make orders for the possession of dwellings in England that are let under assured and regulated tenancies, and
 - (b) such orders are enforced.
- (2) The Lord Chancellor must publish the assessment at such time, and in such manner, as the Lord Chancellor thinks appropriate.
- (3) In this section –
 - “assured tenancy” means an assured tenancy within the meaning of the 1988 Act;
 - “dwelling” means a building or part of a building which is occupied or intended to be occupied as a separate dwelling;
 - “regulated tenancy” means a regulated tenancy within the meaning of the Rent Act 1977.”

Member's explanatory statement

This amendment would require the Lord Chancellor to assess the operation of the possession process to ensure that the courts service has the capacity to deal with the increased demand expected because of this Bill.

BARONESS COFFEY

70 After Clause 6, insert the following new Clause —

“Repossession of homes during school holidays

- (1) The court may only make an order for possession of a dwelling which houses children of school age during the school holidays.
- (2) The Secretary of State may by regulations define the period of school holidays under subsection (1) on an annual basis.”

BARONESS JONES OF MOULSECOOMB

71 After Clause 6, insert the following new Clause —

“Cost of moving compensation for orders for possession of a dwelling on grounds 1 or 1A

After section 11 of the 1988 Act, insert the following new Clause —

“11A Cost of moving compensation for orders for possession of a dwelling on grounds 1 or 1A

- (1) Where the landlord serves a notice relying on grounds 1 or 1A, any rent, service charge or administration charge otherwise due from the tenant to the landlord shall be treated for all purposes as not being due from the tenant to the landlord during a period of one month ending with the expiry date of the notice.
- (2) Where subsection (1) applies and a Managed Payment to Landlord arrangement is in place in respect of Universal Credit or Housing Benefit, the landlord shall, within 7 days of receiving any payments that relate to period specified in subsection (1), pay back the amount paid by the tenant to the tenant.””

Member's explanatory statement

This amendment seeks to ensure that when a tenant is being evicted through no fault of their own, they will have a one month period of not paying rent in order to help cover their moving and related costs while they find new accommodation.

Clause 7

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

72 Clause 7, page 8, line 35, leave out paragraph (a)

Member's explanatory statement

This amendment, and another to this Clause in the name of Baroness Scott of Bybrook, probes the Government's reasons for increasing the notice period for rent increases from one month to two months.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 73 Clause 7, page 8, line 35, leave out “two” and insert “one”

Member's explanatory statement

This amendment would make the notice period for rent increases under section 13 of the Housing Act 1988 one month in all cases.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 74 Clause 7, page 9, line 7, leave out subsection (5)

Member's explanatory statement

This amendment, and another to this Clause in the name of Baroness Scott of Bybrook, probes the Government's reasons for increasing the notice period for rent increases from one month to two months.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 75★ Clause 7, page 9, line 23, leave out from “14” to end of line 25

Member's explanatory statement

This amendment questions the Government's reasons for preventing the tenant and landlord from agreeing a rent value that is higher than the rent set by the Tribunal under Section 14.

LORD HACKING

- 76 Clause 7, page 9, line 25, at end insert —

“(d) a lease clause prescribing a rent increase in line with the Retail Price Index or the Consumer Price Index two months prior to the date of the rent increase coming into effect, subject to a minimum of 3% and a maximum of 8%;

BARONESS JANKE
BARONESS JONES OF MOULSECOOMB

- 77 Clause 7, page 9, line 30, at end insert —

“(4AA) Where the rent for a particular period of the tenancy is to be greater than the rent for the previous period by virtue of a notice, the rent may not be greater than the rent for the previous period increased by the Bank of England Base Rate.

- (4AB) Any provision relating to an assured tenancy to which this section applies is of no effect so far as it provides –
- (a) that the rent for a particular period of the tenancy must or may be greater than the rent for the previous period otherwise than by virtue of a notice, determination or agreement mentioned in subsection (4A), or
 - (b) that the rent for a particular period of the tenancy, where greater than the rent for the previous period by virtue of a notice, determination or agreement mentioned in subsection (4A), must or may be greater than the rent for the previous period increased by the Bank of England Base Rate.”

Member's explanatory statement

This probing amendment would cap in-tenancy rent increases to the Bank of England base rate.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

78★ Clause 7, page 9, leave out lines 39 to 40

Member's explanatory statement

This amendment prevents the Secretary of State from expanding the definition of “relevant low-cost tenancy” by regulations.

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS GRENDER
BARONESS THORNHILL

79 Clause 7, page 10, line 4, at end insert –

- “(4F) It shall be an implied term of every assured tenancy to which this section applies that for a period of four years from the commencement of the tenancy the percentage increase between the existing rent and any new rent specified in a notice given under subsection (2) must not exceed whichever is the lesser of –
- (a) the percentage of the rate of inflation calculated by reference to the consumer price index since the date on which the existing rent took effect, or
 - (b) the percentage increase in median national earnings calculated over a three-year period by the UK Statistics Authority, ending on the date on which the notice was served.”

Member's explanatory statement

This amendment provides for in-tenancy rent increases to be index-linked on the basis of CPI or increases in national annual earnings. This avoids the uncertainties for a period of up to four years of rents being determined at unknown – and perhaps unaffordable – market levels.

BARONESS WARWICK OF UNDERCLIFFE

- 80 Clause 7, page 10, line 11, leave out “may” and insert “must, in the absence of a contractual clause mechanism for increase,”

Member's explanatory statement

This amendment, in combination with other amendments in Baroness Warwick of Undercliffe's name, seeks to clarify the mechanism for registered providers of social housing to increase rents.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 81★ Clause 7, page 10, line 15, leave out “one month” and insert “two months”

Member's explanatory statement

This amendment probes the Government's reasons for having one month notice periods for rent increases in the low-cost tenancy sector, while those who are not in these tenancies are entitled to two.

BARONESS WARWICK OF UNDERCLIFFE

- 82 Clause 7, page 10, line 28, leave out “increased rent took effect” and insert “last notice of increase of rent served in accordance with subsection (2) above specified as the date on which the increased rent would take effect irrespective of whether the increased rent in fact took effect on that date”

Member's explanatory statement

This amendment, in combination with other amendments in Baroness Warwick of Undercliffe's name, seeks to clarify the mechanism for registered providers of social housing to increase rents.

BARONESS WARWICK OF UNDERCLIFFE

- 83 Clause 7, page 10, line 30, leave out “increased rent took effect” and insert “last notice of increase of rent served in accordance with subsection (2) above specified as the date on which the increased rent would take effect irrespective of whether the increased rent in fact took effect on that date”

Member's explanatory statement

This amendment, in combination with other amendments in Baroness Warwick of Undercliffe's name, seeks to clarify the mechanism for registered providers of social housing to increase rents.

Clause 8

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL

- 84 Clause 8, page 11, line 22, after “appropriate tribunal” insert “for a period of four years from the commencement of the tenancy”

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL

- 85 Clause 8, page 11, line 23, at end insert “save that no application may be made where the proposed new rent is not increased from the previous rent by a sum greater than that specified in section 13(4F)”

Member's explanatory statement

This amendment renders unnecessary an application to the First-Tier Tribunal where the proposed in-tenancy rent increase does not exceed a measure of inflation specified in section 13(4F) as inserted by another amendment in the name of Lord Best.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 86★ Clause 8, page 11, line 27, leave out “six” and insert “two”

Member's explanatory statement

This amendment probes the Government's reasons for allowing a six month period in which an application may be made to the tribunal under new Section 14(A1) of the Housing Act 1988.

BARONESS WOLF OF DULWICH
LORD WILLETTS

- 87 Clause 8, page 11, line 31, at end insert —
“(A4) The application to the appropriate tribunal under subsections (A1) and (A3) must first be reviewed by the Valuation Office Agency, who must terminate spurious applications.”

Member's explanatory statement

This probing amendment seeks to provide for a pre-appeal assessment process, to filter out appeals that have no prospect of success and avoid over-burdening tribunals.

LORD HACKING

88 Clause 8, page 11, line 31, at end insert –

“(A4) Where the appropriate tribunal makes a determination on an application under subsection (A1) and the determination confirms the rent increase in the landlord’s notice under section 13(2) or 13A(2), the tenant will be responsible for the reasonable tribunal costs of the landlord in defending the notice.”

BARONESS JONES OF MOULSECOOMB

89 Clause 8, page 11, line 35, leave out from beginning to end of line 8 on page 12, and insert –

“(b) after “subject to” insert “section 13(4AA) and”;
(c) omit from “might” to end of the subsection and insert “should be let.””

BARONESS JONES OF MOULSECOOMB

90 Clause 8, page 12, line 7, at end insert –

“(4A) In subsection (2)(b) at end insert –

“(iii) any increase in the quality of the dwelling attributable to improvements made to upgrade the minimum energy efficiency that were not funded by the landlord but government or ECO grants, either in part or in sum, made within the previous two years.””

Member's explanatory statement

This amendment would amend the Housing Act 1988 so that when determining rents tribunals must disregard any improvements funded by government grants, for a two year period.

LORD HACKING

91 Clause 8, page 12, line 32, leave out from “date” to end of line and insert “of the expiry of the proposed notice under section 13(2) or 13A(2).”

BARONESS SCOTT OF BYBROOK
LORD HOWARD OF RISING

92 Clause 8, page 12, line 34, leave out “, if lower than the tenancy rent,”

Member's explanatory statement

This amendment would remove the requirement that agreed tenancy rents can only be decreased by the Tribunal, therefore removing the potential incentive for tenants to appeal all rent increases when they would only go down or stay the same.

BARONESS SCOTT OF BYBROOK
LORD HOWARD OF RISING

- 93 Clause 8, page 12, line 36, leave out “of the application” and insert “the Tribunal makes a determination”

Member's explanatory statement

This amendment would stop the Tribunal from being able to require landlords to make a backdated payment to a tenant where it determines that a rent amount is too high, despite the tenant having agreed to the rent amount when they agreed to the tenancy.

LORD HACKING

- 94 Clause 8, page 13, line 20, leave out from “13A(2),” to end of line 21

BARONESS SCOTT OF BYBROOK
LORD HOWARD OF RISING

- 95 Clause 8, page 13, line 20, leave out from “13A(2),” to the end of line 28 and insert “or
(b) a date that the appropriate tribunal directs, if it appears to the tribunal that applying paragraph (a) would cause undue hardship to the tenant.”

Member's explanatory statement

This amendment would stop the tribunal delaying the date that a rent increase would come into effect, removing the incentive for all tenants to appeal all rent increases to guarantee a delayed implementation.

LORD CARRINGTON

- 96 Clause 8, page 13, line 20, leave out from “if” to end of line 21 and insert “the tribunal determines that the proposed rent is equal to or lower than the open-market rent, or”

LORD HACKING

- 97 Clause 8, page 13, leave out lines 22 to 25

LORD CARRINGTON

- 98 Clause 8, page 13, line 23, leave out from “if” to end of line 25 and insert “the tribunal determines that the proposed rent is higher than the open-market rent.”

LORD CARRINGTON
LORD YOUNG OF COOKHAM
LORD HOWARD OF RISING

99 Clause 8, page 13, leave out lines 26 to 30 and insert—

- “(4) If the tribunal determines that the proposed rent is equal to or lower than the open-market rent—
- (a) where the tenant has stated in the application under section 14(A3) that the tenant wishes to pay any uplifted rent in a single payment, the tenant must pay the uplifted rent on the first day of the first new period of the tenancy which begins on or after the date of determination;
 - (b) in all other cases, the tribunal must order that the tenant must pay the uplifted rent in up to 12 equal instalments on the first day of up to 12 consecutive periods of the tenancy commencing on the first day of the first new period of the tenancy which begins on or after the date of the determination.”

Member's explanatory statement

This amendment would ensure that, if a rent challenge was unsuccessful, the reviewed rent would apply from the date that the increase was due to take effect, rather than the date of the end of the legal process. The uplifted rent would be paid over a period of up to 12 months unless the tenant elected in its application to the Tribunal to pay the amount in a single payment.

LORD HACKING

100 Clause 8, page 13, line 28, at end insert “but no later than the beginning of the first new period of the tenancy which begins on or after the date of the determination, if the beginning of the new period specified in the notice under section 13(2) or 13A(2) is before the date of the determination.”

LORD HACKING

101 Clause 8, page 13, line 28, at end insert—

- “(3A) Any outstanding rent payable under the lease following the determination and owed in accordance with subsection (3)(a) must be paid to the landlord in equal monthly instalments in the subsequent months, but no later than the end of a six month period from the date of the determination.”

BARONESS SCOTT OF BYBROOK

102 Clause 8, page 13, line 32, leave out “lower than” and insert “different to”

Member's explanatory statement

This amendment would remove the requirement that proposed rents can only be decreased therefore removing the incentive for all tenants to appeal all rent increases when they would only go down or stay the same.

LORD CARRINGTON
LORD HOWARD OF RISING

103 Clause 8, page 13, line 32, leave out from first “rent” to the end of line 33

Member's explanatory statement

This amendment would ensure that, if the tribunal is asked to determine the rent following the service of a notice under section 13(2) or 13A(2), the new rent amount will be that which the tribunal determines is the open-market rent and such rent shall not be capped at the proposed rent specified in the notice by the Landlord.

LORD CARRINGTON

104 Clause 8, page 13, line 40, at end insert —

““the rent difference” means the difference between the rent payable under the tenancy immediately before the determination is made and the new rent for each period of the tenancy;
“the uplifted rent” means the total of the rent difference for the period between the beginning of the new period specified in the notice under section 13(2) or 13A(2) and the day before the beginning of the first new period of the tenancy which begins on or after the date of the determination.”

BARONESS SCOTT OF BYBROOK
LORD HOWARD OF RISING

105 Clause 8, page 13, line 41, at end insert —

- “(12) The Secretary of State must conduct a review of —
- (a) the impact of this section on the tribunals responsible for the determination of rent, and
 - (b) the ability of tribunals to manage an increase in applications for a review of a proposed rent increase.
- (13) The Secretary of State must lay the review made under subsection (12) and the Government’s response to the review before Parliament.
- (14) The Secretary of State must consult with the Competition and Markets Authority on any measures necessary to ensure that tribunals are able to assess market rents without having a distorting effect on the market.”

Member's explanatory statement

This amendment would require the Secretary of State to conduct a review of the tribunals responsible for the determination of rent.

After Clause 8

BARONESS THORNHILL
LORD CARTER OF HASLEMERE
LORD HOWARD OF RISING

106 After Clause 8, insert the following new Clause –

“Consultation on resourcing of tribunals

The Secretary of State must consult on –

- (a) the adequacy of the existing resources of the tribunals responsible for the determination of rent;
- (b) the need of the tribunals for further resources to manage an increase in applications for a review of a proposed rent increase.”

Member's explanatory statement

This amendment ensures that tribunals handling rent determinations are adequately resourced to manage the additional workload arising from the Bill.

LORD YOUNG OF COOKHAM

107 After Clause 8, insert the following new Clause –

“Exemption from sections 7 and 8 for shared ownership leases

- (1) Sections 7 and 8 do not apply to any assured tenancy or relevant low cost tenancy where the landlord is a tenant under a superior shared ownership lease.
- (2) For the purposes of this section “shared ownership lease” has the same meaning as in section 13 of the Landlord and Tenant Act 1985.”

Member's explanatory statement

This amendment probes what effect the Secretary of State considers clauses 7 and 8 will have on shared ownership leaseholders, who cannot make a profit from subletting and may have restrictions in their leases on being able to increase the rent during the term of any subletting arrangement.

Clause 9

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

108★ Clause 9, page 14, line 5, after “for” insert “more than six months”

Member's explanatory statement

This amendment would allow a person to mutually agree a tenancy with a landlord which requires them to pay up to six months of rent in advance.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 109★** Clause 9, page 14, line 5, after “for” insert “more than four months”

Member's explanatory statement

This amendment would allow a person to mutually agree a tenancy with a landlord which requires them to pay up to four months of rent in advance.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 110★** Clause 9, page 14, line 5, after “for” insert “more than two months”

Member's explanatory statement

This amendment would allow a person to mutually agree a tenancy with a landlord which requires them to pay up to two months of rent in advance.

LORD TRUSCOTT
LORD CARRINGTON
LORD DE CLIFFORD
LORD STRASBURGER

- 111** Clause 9, page 14, line 5, after “due” insert “more than 12 months”

Member's explanatory statement

This amendment seeks to provide for a tenant to pay up to 12 months of rent in advance, if mutually agreed with the landlord.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 112★** Clause 9, page 14, line 10, at end insert —

“(c) where the tenant has written to the landlord requesting a tenancy which is subject to a payment of rent in advance.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 113★** Clause 9, page 15, leave out lines 4 to 12

Member's explanatory statement

This amendment removes the Secretary of State's power to change the descriptions of rent due which are not prohibited by this Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 114★** Clause 9, page 15, line 5, leave out “making provision about” and insert “expanding”

Member's explanatory statement

This amendment limits the Secretary of State's power to change the descriptions of rent due which are not prohibited by this Act to expanding the definition rather than limiting it.

Clause 10

LORD HACKING

- 115** Clause 10, page 16, line 4, leave out subsection (2)

LORD HACKING
LORD CARRINGTON

- 116** Clause 10, page 17, line 20, at end insert —

“(4A) Notwithstanding the provisions in this section, if a tenant fails to pay the first month's rent after the lease has been entered into but before the tenancy start date as stated in the lease, the lease is voided and the landlord is not required to grant possession of the property of the tenancy.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 117★** Clause 10, page 18, line 27, at end insert —

“(6) The Secretary of State must take reasonable steps to communicate the changes to the Tenant Fees Act 2019 made by this section to tenants, letting agents and landlords.”

Member's explanatory statement

This amendment requires the Secretary of State to make tenants, letting agents and landlords aware of the changes to the Tenant Fees Act 2019.

Clause 12

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS JONES OF MOULSECOOMB

118 Clause 12, page 19, line 12, at end insert —

“(d) the landlord may not review or withdraw consent once given.”

BARONESS MILLER OF CHILTHORNE DOMER
LORD BLACK OF BRENTWOOD

119★ Clause 12, page 19, line 26, after the second “landlord” insert “, which they cannot unreasonably refuse,”

Member's explanatory statement

This amendment ensures that a superior landlord cannot unreasonably withhold consent for a tenant to keep a pet, promoting fairness and consistency in decision-making.

LORD HOWARD OF RISING

120★ Clause 12, page 19, line 36, at end insert —

“(5A) A landlord may reasonably withhold consent under subsection (1) if they reasonably believe the keeping of a pet may have a negative impact as a result of allergens on —

- (a) them,
- (b) their employees,
- (c) their managing agents,
- (d) the tenant’s neighbours, or
- (e) their future tenants.”

Member's explanatory statement

This amendment seeks to enable landlords to refuse pets where the landlord reasonably believes the pet may have a negative impact on specified persons as a result of allergens.

LORD HOWARD OF RISING

121★ Clause 12, page 19, line 36, at end insert —

“(5A) Where a landlord has given their consent under subsection (1) they may withdraw their consent at any time if they become aware that the pet in question is a dangerous wild animal under the Dangerous Wild Animals Act 1976 or in breach of the Dangerous Dogs Act 1991.”

Member's explanatory statement

This amendment seeks to enable landlords to refuse pets on the grounds that they are a dangerous wild animal.

LORD HOWARD OF RISING

122★ Clause 12, page 19, line 36, at end insert –

- “(5A) A landlord may reasonably withhold or withdraw consent under subsection (1) in relation to a new pet introduced during an existing tenancy if they reasonably believe that the pet –
- (a) is unsuitable for the property,
 - (b) may cause a nuisance to neighbours, or
 - (c) may damage the property or place an unreasonable burden on its upkeep.”

Member's explanatory statement

This amendment gives landlords the ability to reasonably refuse or withdraw consent for pets introduced during an existing tenancy where such pets may not be appropriate for the property or may cause disruption or damage.

LORD HOWARD OF RISING

123★ Clause 12, page 19, line 36, at end insert –

- “(5A) A tenant may not keep pets inappropriate or disproportionate in size or number at the dwelling-house unless the landlord has given express written consent.”

Member's explanatory statement

This amendment seeks to probe the government's reasons for not limiting a landlord's ability to refuse consent when a tenant requests to keep a large number of pets or pets that are large in size, particularly if the property is not suitable for them.

THE EARL OF KINNOULL
BARONESS FOOKES
LORD TREES
BARONESS COFFEY

124 Clause 12, page 19, line 37, leave out “other than a tenancy of social housing”

Member's explanatory statement

This amendment seeks to allow social housing tenants the same rights to request consent to keep a pet as other tenants.

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS JONES OF MOULSECOOMB
BARONESS COFFEY

125 Clause 12, page 20, line 19, at end insert —

- “(4A) The circumstances in which it is unreasonable for a landlord to refuse consent include, but are not limited to, the following —
- (a) a landlord’s personal opinion of a tenant;
 - (b) a landlord’s personal opinion of pets or specific species;
 - (c) a generalised fear of damage to the property;
 - (d) a pre-emptive fear of complaints from neighbours relating to noise, fouling or anti-social behaviour caused by the animal;
 - (e) a landlord’s experience with a previous tenant about pets;
 - (f) generalised or unsubstantiated animal welfare concerns.”

BARONESS MILLER OF CHILTHORNE DOMER
LORD BLACK OF BRENTWOOD

126★ Clause 12, page 20, line 19, at end insert —

- “(4A) The circumstances in which it is unreasonable for a superior landlord to refuse consent through the landlord include, but are not limited to, the following —
- (a) a superior landlord’s personal opinion of a tenant;
 - (b) a superior landlord’s personal opinion of pets or specific species;
 - (c) a generalised fear of damage to the property;
 - (d) a pre-emptive fear of complaints from neighbours relating to noise, fouling or anti-social behaviour caused by the animal;
 - (e) a superior landlord’s experience with a previous tenant about pets;
 - (f) generalised or unsubstantiated animal welfare concerns.”

Member's explanatory statement

This amendment sets out examples of when it is unreasonable for a superior landlord to refuse consent, providing clearer guidance and limiting arbitrary or prejudiced refusals.

THE EARL OF KINNOULL
BARONESS FOOKES
LORD TREES

127 Clause 12, page 20, leave out lines 28 to 31

Member's explanatory statement

This amendment seeks to remove a requirement on tenants to have pet damage insurance.

THE EARL OF KINNOULL
BARONESS FOOKES
LORD TRUSCOTT
LORD TREES

128 Clause 12, page 20, line 36, at end insert —

- “(c) that the tenant makes an additional pet damage deposit which —
- (i) can be used to make good pet damage,
 - (ii) must be of equivalent value to 3 weeks of rent,
 - (iii) cannot be subject to the limits for deposits in tenancy agreements, and
 - (iv) is subject to the rules governing deposits in tenancy agreements, for purposes of monies handled.”

Member's explanatory statement

This amendment seeks to introduce a new option of a landlord pet damage deposit.

THE EARL OF KINNOULL
BARONESS FOOKES
LORD TREES

129 Clause 12, page 21, line 14, at end insert —

- “(2A) Any additional insurance coverage constituting a condition of consent under this section must —
- (a) operate in excess of the original agreed deposit specified in the tenancy agreement and respond in the same way.
 - (b) have a minimum insured sum of equivalent value to 6 months of rent.”

Member's explanatory statement

This amendment seeks to provide greater detail for insurance procured by a landlord, the cost of which is paid by the tenant.

THE EARL OF KINNOULL
BARONESS FOOKES
LORD TREES

130 Clause 12, page 21, line 14, at end insert —

- “(2A) In this section, “premium” includes insurance premium taxes.”

Member's explanatory statement

This amendment seeks to define the meaning of the word “premium” in line with the definition used in contractual insurance documentation.

LORD MOYNIHAN

131★ Clause 12, page 21, leave out line 19

Member's explanatory statement

This amendment seeks to probe the Government's definition of a pet under this section.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

132★ Clause 12, page 21, line 20, leave out "to (c)" and insert "and (b)"

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

After Clause 13

BARONESS JANKE
BARONESS JONES OF MOULSECOOMB

133 After Clause 13, insert the following new Clause —

"Permission for home adaptations

- (1) The Housing Act 1988 is amended as follows.
- (2) After section 16 insert —

"16A Home adaptations

- (1) It is an implied term of every assured tenancy that a landlord must give permission for adaptations where a local council has carried out a Home Assessment and recommends adaptations which constitute reasonable adjustments under the Equality Act 2010.
- (2) A tenant may appeal a landlord's refusal to give permission for such adaptations."

Member's explanatory statement

This new clause would ensure that landlords of private and social tenancies provide permission for home adaptations for people who have disabilities where a Home Assessment has been carried out.

BARONESS JANKE
LORD BLACK OF BRENTWOOD

134 After Clause 13, insert the following new Clause —

"Right to request Fibre to the Premises (FTTP) installation

- (1) It is an implied term of every assured tenancy to which this section applies that —

- (a) a tenant may request the installation of Fibre to the Premises (FTTP) at the dwelling-house if the tenant asks to do so in accordance with this section and the landlord consents;
 - (b) such consent is not to be unreasonably refused by the landlord;
 - (c) the landlord is to give or refuse consent in writing on or before the 28th day after the date of the request, except as provided by subsections (2) to (5).
- (2) Where the landlord reasonably requests further information from the tenant about the proposed FTTP installation on or before the 28th day after the date of the tenant's request the landlord may delay giving or refusing consent until the 7th day after the date on which the tenant provides any further information that the landlord requests where the following circumstances apply –
- (a) the installation of FTTP at the dwelling-house would require the landlord to obtain the consent of a superior landlord under the terms of a superior tenancy, and
 - (b) the landlord seeks the consent of the superior landlord on or before the 28th day after the date of the tenant's request.
- (3) The landlord may delay giving or refusing consent until the 7th day after the date on which the landlord receives consent or refusal from the superior landlord.
- (4) Where the landlord and the tenant agree that the landlord may delay giving or refusing consent, the landlord may delay until whatever date is agreed between the landlord and the tenant.
- (5) Where more than one of subsections (2) to (4) apply, the landlord may delay until the latest date to which the landlord may delay giving or refusing consent under any of the subsections.
- (6) This section applies to every assured tenancy other than a tenancy of social housing, within the meaning of Part 2 of the Housing and Regeneration Act 2008."

Member's explanatory statement

This amendment introduces a right for tenants to request Fibre to the Premises (FTTP) installation, similar to the right to request keeping a pet, by ensuring that landlord consent for FTTP installation cannot be unreasonably refused and that decisions are made within a specified timeframe. This provision is intended to reduce delays in broadband infrastructure improvements in rented properties.

BARONESS JANKE
LORD BLACK OF BRENTWOOD

135

After Clause 13, insert the following new Clause –

“Requests for consent to FTTP installation: further provision

- (1) The provisions in section (*Right to request Fibre to the Premises (FTTP) installation*) do not limit the terms that may be agreed in relation to the installation of FTTP.

- (2) The tenant's request under section (*Right to request Fibre to the Premises (FTTP) installation*) must –
 - (a) be in writing;
 - (b) include a description of the proposed FTTP installation.
- (3) The circumstances in which it is reasonable for a landlord to refuse consent include those in which –
 - (a) the installation of FTTP would cause the landlord to be in breach of an agreement with a superior landlord;
 - (b) an agreement between the landlord and a superior landlord prohibits the installation of FTTP at the dwelling-house without consent of the superior landlord, and the landlord has taken reasonable steps to obtain that consent but the superior landlord has not given it.
- (4) In proceedings in which a tenant alleges that the landlord has breached the implied term created by section (*Right to request Fibre to the Premises (FTTP) installation*), the court may order specific performance of the obligation.”

Member's explanatory statement

This amendment relates to another in Baroness Janke's name on the provisions regarding the right to request FTTP installation.

Clause 14

BARONESS TAYLOR OF STEVENAGE

- 136 Clause 14, page 22, line 7, after “previous” insert “assured”

Member's explanatory statement

This limits the exception to providing a written statement of terms to cases where there has been an implied surrender and re-grant of a previous assured tenancy.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 137★ Clause 14, page 22, line 30, leave out “and section 16I(1)(a)”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS TAYLOR OF STEVENAGE

- 138 Clause 14, page 22, line 32, leave out “and (6)” and insert “to (6A)”

Member's explanatory statement

This amendment is consequential on the amendment to clause 14 in the Minister's name amending section 16D of the Housing Act 1988 to insert new subsection (6A).

BARONESS TAYLOR OF STEVENAGE

139 Clause 14, page 23, line 8, at end insert —

“(6A) In any other case where a tenancy becomes a tenancy to which this section applies, the statement under subsection (2) must be given within the period of 28 days beginning with the date on which the tenancy becomes an assured tenancy.”

Member's explanatory statement

Where an existing tenancy becomes an assured tenancy, this amendment requires a landlord to provide a written statement of terms within 28 days rather than being required to provide such a statement before the tenancy is entered into.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

140★ Clause 14, page 23, line 18, at end insert —

“(10) The Secretary of State must issue guidance for tenants, contractors and landlords setting out their duties and rights under this section.”

Member's explanatory statement

This amendment would require the Secretary of State to issue guidance about the new Section 16D to ensure all parties are aware of their duties and rights under this section.

Clause 15BARONESS SCOTT OF BYBROOK
LORD JAMIESON

141★ Clause 15, page 24, line 28, leave out “(but see section 161I(1)(a))”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

LORD CROMWELL

142 Clause 15, page 25, line 6, at end insert “, or

(iii) the dwelling house has been available for purchase on the open market at a fair price for not less than six months, the landlord has not had any suitable offers to purchase the dwelling house, and the landlord has offered the dwelling house back to the previous tenant on the same terms, including rent level, on which they previously occupied the dwelling-house.

(1A) For the purposes of subsection (1)(b)(iii), the previous tenant or local authority retain the right for the courts to require evidence and to decide whether genuine attempts have been made to market and sell the property at a reasonable price and no offers at or above that price have been refused”

Member's explanatory statement

This amendment seeks to ensure that, with evidential safeguards included, the property would be made available to rent after six months. This seeks to sustain rather than contract the supply of suitable rental property.

LORD YOUNG OF COOKHAM

143 Clause 15, page 26, line 11, at end insert—

“16GA Exemption for shared ownership leaseholders

- (1) Sections 16E and 16F do not apply to any relevant person who gives notice under Ground 1 or Ground 1A in Schedule 2 if that person is a tenant under a shared ownership lease on the date the notice is given.
- (2) For the purposes of this section “shared ownership lease” has the same meaning as in section 13 of the Landlord and Tenant Act 1985.”

Member's explanatory statement

This amendment seeks to protect shared leaseholders whose sales fall through, as is common. The current drafting of clause 15 would leave the shared ownership leaseholder with an empty property if notice is given and the sale falls through.

Clause 17

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

144★ Clause 17, page 26, leave out from line 22 to line 10 on page 28

Member's explanatory statement

This amendment seeks to prevent local authorities from issuing fines for offences that could be considered in the courts against the legal standard of proof through a non-judicial process.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

145★ Clause 17, page 26, line 24, leave out “beyond reasonable doubt” and insert “on the balance of probabilities”

Member's explanatory statement

This amendment, and another in the name of Baroness Scott of Bybrook, seeks to apply the normal standard of proof for civil cases for these fines and probes the Government's reasons for applying the criminal standard of proof.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 146★ Clause 17, page 27, line 21, leave out “£7,000” and insert “£5,000”

Member's explanatory statement

This amendment seeks to limit the local housing authority's power to impose a financial penalty to £5,000.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 147★ Clause 17, page 27, line 21, leave out “£7,000” and insert “a sum equivalent to two months of the income that the landlord receives under the relevant tenancy agreement”

Member's explanatory statement

This amendment seeks to limit the local housing authority's power to impose a financial penalty to a sum equivalent to two months' rent under the relevant tenancy agreement.

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

- 148 Clause 17, page 28, line 16, leave out “or being reckless as to whether the landlord would be able to do so,”

Member's explanatory statement

In the context of an offence where a person relies on a ground for possession in schedule 2 where the landlord would not be able to obtain an order for possession on that ground, this amendment removes recklessness from the offence. The offence could only be committed with actual knowledge.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 149★ Clause 17, page 28, leave out lines 39 to 40

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 150★ Clause 17, page 29, line 7, leave out “16I or”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

151★ Clause 17, page 29, line 17, leave out “16I or”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

152★ Clause 17, page 29, line 36, leave out “beyond reasonable doubt” and insert “on the balance of probabilities”

Member's explanatory statement

This amendment, and another in the name of Baroness Scott of Bybrook, seeks to apply the normal standard of proof for civil cases for these fines and probes the Government's reasons for applying the criminal standard of proof.

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

153 Clause 17, page 30, line 9, leave out “£40,000” and insert “£7,000”

Member's explanatory statement

This limits the local housing authority's power to impose a financial penalty to £7,000.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

154★ Clause 17, page 30, line 9, leave out “£40,000” and insert “£30,000”

Member's explanatory statement

This is a probing amendment which seeks to establish the Government's reasons for granting local housing authorities the power to impose a financial penalty of up to £40,000.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

155★ Clause 17, page 30, line 9, leave out “£40,000” and insert “a sum equivalent to 12 months of the income that the landlord receives under the relevant tenancy agreement”

Member's explanatory statement

This amendment seeks to limit the local housing authority's power to impose a financial penalty to a sum equivalent to 12 months' rent under the relevant tenancy agreement.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 156★ Clause 17, page 30, line 28, leave out “sections 16I to 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 157★ Clause 17, page 30, line 28, at end insert –

“(1A) Within 12 months of the day on which the Renters' Rights Act 2025 is passed, the Secretary of State must make a statement of all financial assistance provided to local housing authorities under section 16L and annually thereafter.

(1B) The statement made under subsection (1A) must be laid before Parliament.”

Member's explanatory statement

This would require the Secretary of State to produce an annual report on financial assistance provided to local housing authorities.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 158★ Clause 17, page 30, line 30, leave out “16I(6) or”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 159★ Clause 17, page 30, line 36, leave out “sections 16I and 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 160★ Clause 17, page 30, line 38, leave out “sections 16I and 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 161★** Clause 17, page 30, line 39, leave out “sections 16I and 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 162★** Clause 17, page 31, line 2, leave out “sections 16I and 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

Clause 18

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 163★** Clause 18, page 31, line 6, leave out “sections 16I and 16K” and insert “section 16K”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 164★** Clause 18, page 31, line 8, leave out “16I or”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

Clause 19

LORD HACKING

- 165** Clause 19, page 35, line 25, leave out “twelve” and insert “six”

LORD HACKING

- 166** Clause 19, page 35, line 31, leave out “twelve” and insert “six”

Clause 21

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 167★ Clause 21, page 39, line 33, after “child” insert “or grandchild”

Member's explanatory statement

This amendment seeks to probe the Government's willingness to recognise in law the close family ties many people have with their first cousins once removed and other removed cousins.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 168★ Clause 21, page 39, line 34, at end insert —

“(ia) of a sibling of a grandparent of P, or”

Member's explanatory statement

This amendment, and another in the name of Baroness Scott of Bybrook, seeks to probe the Government's willingness to recognise in law the close family ties many people have with their second cousins and second cousins once removed.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 169★ Clause 21, page 39, line 36, after “uncle” insert “, or a sibling of a grandparent,”

Member's explanatory statement

This amendment, and another in the name of Baroness Scott of Bybrook, seeks to probe the Government's willingness to recognise in law the close family ties many people have with their second cousins and second cousins once removed.

After Clause 21

BARONESS LISTER OF BURTERSETT
BARONESS GRENDER
LORD CASHMAN
THE LORD BISHOP OF MANCHESTER

- 170 After Clause 21, insert the following new Clause —

“Restriction on landlord's ability to require tenant to provide guarantor

- (1) A relevant person must not, in any of the circumstances set out in subsection (3), require a person, as a condition of the grant of a relevant tenancy, to provide a guarantor in relation to the observance or performance of the tenant's obligations under the tenancy.

- (2) For the purposes of this section, requiring a person to provide a guarantor includes accepting an offer by that person to provide a guarantor.
- (3) The circumstances are –
 - (a) that the person has paid a tenancy deposit or has been assisted under a deposit scheme,
 - (b) that the person is required to pay rent in advance of one month's rent or more,
 - (c) that on a reasonable assessment of their means the person's income (including state benefits received and any other lawful source of income) is sufficient to enable them to pay the full rent due under the tenancy,
 - (d) that arrangements will be made for housing benefit or the housing element of universal credit to be paid directly in respect of rent to a relevant person,
 - (e) that the relevant person has entered into a contract of insurance under which they are insured against non-payment of rent, or
 - (f) such other circumstances as may be prescribed by the Secretary of State.
- (4) In any other case where a relevant person lawfully requires a person, as a condition of the grant of a relevant tenancy, to provide a guarantor, the sum for which the guarantor may become liable under the relevant guarantee may not exceed a sum equal to six months' rent.
- (5) In any case where a relevant person lawfully requires a person, as a condition of the grant of a relevant joint tenancy, to provide a guarantor, the sum claimed under the guarantee may not exceed such proportion of the loss as is attributable to the act or default of the individual tenant on whose behalf the guarantee was given; and if such proportion cannot be proved, may not exceed the sum obtained by dividing the total loss by the number of tenants.
- (6) In this section –
 - a "guarantor" is a person who enters into a guarantee in relation to a relevant tenancy;
 - a "guarantee" is a contractual promise to be responsible for the performance of an obligation owed by the tenant to a relevant person under the tenancy if the tenant fails to perform the obligation;
 - a "deposit scheme" includes a scheme whereby a sum payable by way of deposit or a bond or guarantee is provided by a local authority, registered charity or voluntary organisation for the purpose of providing security to a landlord for the performance of a tenant's obligations under a tenancy;
 - a "tenancy deposit" has the same meaning as in section 212(8) of the Housing Act 2004;
 - "relevant person" has the meaning given by section 16M(1) of the 1988 Act."

Member's explanatory statement

This new clause would restrict the circumstances in which a landlord can request a guarantor.

Clause 22

LORD SHIPLEY

- 171★** Clause 22, page 40, line 13, leave out “has” and insert “and all joint tenants have”

Member's explanatory statement

This amendment and others in the name of Lord Shipley aim to ensure that the provisions contained in section 22 apply to joint tenancies as well.

LORD SHIPLEY

- 172★** Clause 22, page 40, leave out lines 14 to 16 and insert –

- “(ii) following service of landlord notice under Grounds 1 or 1A Housing Act 1988, not less than one month before the date on which the notice is to take effect;
- (iii) in the absence of agreement under sub-paragraph (i) or the application of sub-paragraph (ii), not less than two months before the date on which the notice is to take effect;”

Member's explanatory statement

This amendment, in combination with another amendment in Lord Shipley's name, sets out additional requirements for ending a joint tenancy, including specific notice periods depending on the circumstances and a duty to inform all other joint tenants when a notice is served. It ensures both the departing tenant and the landlord must warn the remaining tenants in writing and provide a copy of the notice.

LORD TRUSCOTT
LORD CARRINGTON

- 173** Clause 22, page 40, line 16, at end insert –

- “(aa) where it is given by a tenant not less than four months after they agreed to the assured tenancy;”

Member's explanatory statement

This amendment seeks to provide for tenants to give notice to quit not earlier than four months after agreeing to the assured tenancy, meaning a minimum tenancy of six months, rather than two months.

LORD SHIPLEY

- 174★** Clause 22, page 40, line 20, at end insert –

- “(1ZB) In the absence of agreement under section (1ZA)(a)(i), a joint tenant serving notice must, at the time of serving notice, give a written warning to all other joint tenants that such notice has been served, and attach a copy of the notice.

- (1ZC) The landlord receiving a notice served under section (1ZA)(a)(ii) or (1ZB) must give a written warning to all other joint tenants as soon as reasonably practicable after receipt, and attach a copy of the notice to quit.”

Member's explanatory statement

This amendment, in combination with another amendment in Lord Shipley's name, sets out additional requirements for ending a joint tenancy, including specific notice periods depending on the circumstances and a duty to inform all other joint tenants when a notice is served. It ensures both the departing tenant and the landlord must warn the remaining tenants in writing and provide a copy of the notice.

Clause 23

LORD SHIPLEY

- 175★ Clause 23, page 40, line 32, after “landlord”, insert “and all joint tenants”

Member's explanatory statement

This amendment and others in the name of Lord Shipley aim to ensure that the provisions contained in section 23 apply to joint tenancies as well.

Clause 25

LORD ROBOROUGH

- 176★ Clause 25, page 41, line 35, leave out paragraph (a)

Member's explanatory statement

This amendment is intended to probe why the government has sought to remove section 25(1) of the 1988 Act completely.

LORD ROBOROUGH

- 177★ Clause 25, page 41, line 38, leave out “to” and insert “, 2ZB and”

Member's explanatory statement

This amendment is intended to probe the rationale behind the government's decision to expand the list of restrictions on agricultural evictions.

After Clause 29

BARONESS JONES OF MOULSECOOMB

178 After Clause 29, insert the following new Clause –

“Right to minor adaptations for disabilities

In the 1988 Act, after section 16P (inserted by section 21 of this Act), insert –

“16Q Right to minor adaptations for disabilities

- (1) It is an implied term of every tenancy to which this section applies that a tenant is entitled to make a minor adaptation to the property without needing to obtain the consent of the landlord.
- (2) In this section, “minor adaptation” means a change to the structure, fixtures or contents of the property for the purpose of accommodating a disability (within the meaning of section 6 of the Equality Act 2010), where the cost of making the adaptation would not exceed an amount set by the Secretary of State in regulations.
- (3) This section applies to every assured tenancy other than a tenancy of social housing, within the meaning of Part 2 of the Housing and Regeneration Act 2008.”

Member's explanatory statement

This new clause would give a right to minor home adaptations for accommodating a disability.

Schedule 2

BARONESS TAYLOR OF STEVENAGE

179 Schedule 2, page 192, line 4, at end insert –

- “13A In section 553 (effect of repurchase on certain existing tenancies (England)), in subsection (2) –
- (a) in paragraph (a), omit the words “or an assured tenancy”;
 - (b) in paragraph (b), omit the words from “or in accordance” to the end of that paragraph (including the “and” at the end of that paragraph);
 - (c) omit paragraph (c).
- 13B In section 554 (grant of tenancy to former owner-occupier), in subsection (3) –
- (a) omit paragraph (c) (and the “or” at the end of that paragraph);
 - (b) after paragraph (b), insert –
- “(ca) an assured tenancy, or”.
- 13C In Part 4 of Schedule 2 (grounds for possession: secure tenancies), in paragraph (1)(c), omit the words from “which is neither” to the end of that paragraph.”

Member's explanatory statement

This makes further amendments to the Housing Act 1985 which are consequential on the changes made by Chapter 1 of Part 1 of the Bill.

BARONESS TAYLOR OF STEVENAGE

- 180 Schedule 2, page 192, line 21, leave out “agricultural tenancy” and insert “tenancy of the agricultural holding”

Member's explanatory statement

This brings the wording into line with the definitions used in the Agricultural Holdings Act 1986.

LORD BEST

- 181 Schedule 2, page 199, line 6, at end insert –
“Regulatory Enforcement and Sanctions Act 2008

57A In Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008 (enactments specified for the purposes of Part 1), in the suitable place insert –

“Tenant Fees Act 2019 (c.4)”

Member's explanatory statement

This amendment integrates the Tenant Fees Act 2019 into Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008. It enables a Primary Authority to support local authorities to give assured advice to lettings agents on achieving compliance under the Tenant Fees Act 2019. Providing this advice will support lettings businesses and reduce pressure on local authorities' enforcement teams.

BARONESS COFFEY

- 182★ Schedule 2, page 199, line 36, at end insert –
- “(c) in subsection (2A), at end insert “, subject to subsection (2D)”,
 - (d) after subsection (2A), insert –
 - “(2B) The right to acquire the dwelling under this section applies to tenants of a dwelling in a rural area.
 - (2C) The Secretary of State may by regulations define a “rural area” for the purposes of subsection (2B).
 - (2D) The Secretary of State must not use regulations in subsection (2A) to exempt rural properties from right to acquire provisions under this section.”

Member's explanatory statement

This amendment seeks to ensure that tenants residing in rural properties are not exempted from the right to acquire.

BARONESS TAYLOR OF STEVENAGE

183 Schedule 2, page 200, line 1, at end insert—

“Charities Act 2011

66A(1) The Charities Act 2011 is amended as follows.

- (2) In section 117 (restrictions on disposition of land: general), in subsection (2)(b)(ii), after “less” insert “or which are assured tenancies”.
- (3) In section 120 (requirements for leases which are for 7 years or less)—
 - (a) in the heading, after “less” insert “or which are assured tenancies”;
 - (b) in subsection (1), the words from “a lease” to the end become paragraph (a);
 - (c) after that paragraph insert “, or
 - (b) a lease that is an assured tenancy within the meaning of Chapter 1 of Part 1 of the Housing Act 1988.”

Member's explanatory statement

This amends the Charities Act 2011 so that the disposition of leases which are assured tenancies will be subject to the requirements in section 120 of that Act.

Clause 32

BARONESS TAYLOR OF STEVENAGE

184 Clause 32, page 47, line 9, leave out “made before the regulations come into force” and insert “entered into—

- (i) before the regulations come into force, or
- (ii) when or after they come into force under a contract entered into before then, or by the acceptance of an offer made before then.”

Member's explanatory statement

This brings the wording in clause 32(5)(a) into line with the wording used in the new Part 2 of Schedule 6 which would be inserted by the amendment in my name.

After Clause 32

LORD BEST
LORD TRUSCOTT
LORD YOUNG OF COOKHAM
BARONESS THORNHILL

185 After Clause 32, insert the following new Clause –

“Restrictions on conversion of assured tenancies to short-term lettings

- (1) Where a property has been let subject to an assured tenancy or assured shorthold tenancy at any time in the preceding three years, it must not be let as a short-term rental property within the meaning of section 228(2) of the Levelling-up and Regeneration Act 2023 unless a change of use has been permitted under the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) as amended by subsection (2).
- (2) In Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764), at the end of part C insert –

“Class C7. Short term rental property

Use of a dwellinghouse for commercial short-term letting, within the meaning of section 228(2) of the Levelling Up and Regeneration Act 2023.””

Member's explanatory statement

This clause requires planning consent for assured or assured shorthold tenancies to be converted into short-term lettings.

Clause 33

BARONESS TAYLOR OF STEVENAGE

186 Clause 33, page 49, line 10, at end insert –

“(ai) after subsection (1) insert –

“(1AZA) But that is subject to subsections (1ZA) to (1ZC).”;

(aii) in subsection (1ZA), for “But in” substitute “In”;

(aiii) after subsection (1ZB) insert –

“(1ZC) Section 11 does not apply to a lease of a dwelling-house in England which –

- (a) was an assured tenancy immediately before the commencement date (which has the meaning given by section 146(3) of the Renters' Rights Act 2025), and
- (b) was granted –
 - (i) for a term of seven years or more, and

- (ii) by a person other than a private registered provider of social housing.”;

Member's explanatory statement

This ensures than an existing assured tenancy of a fixed term of 7 years or more - which will become a periodic tenancy by virtue of the Bill - does not come within section 11 of the Landlord and Tenant Act 1985 as a result of that change. Accordingly, repairing obligations will continue to be governed by the tenancy.

BARONESS TAYLOR OF STEVENAGE

- 187 Clause 33, page 49, line 11, leave out “(b) omit “or more”” and insert “omit paragraph (b)” and the word “or” preceding it”

Member's explanatory statement

This is consequential on the new paragraph 3D inserted by clause 33(1) now referring to leases of more than 21 years (instead of 7 years).

Clause 34

BARONESS TAYLOR OF STEVENAGE

- 188 Clause 34, page 50, line 5, at end insert –
- “(2) In Schedule 1 to the 1988 Act, paragraph 8 (lettings to students that are not assured tenancies) is amended as follows –
 - (a) after sub-paragraph (1) insert –
 - “(1A) But that is subject to sub-paragraphs (2B), (2C) and (5) to (7).”;
 - (b) after sub-paragraph (2) insert –
 - “(2A) Regulations under sub-paragraph (2) may, in particular, specify as a body of persons –
 - (a) the members, or
 - (b) a class of the members,
 from time to time of a housing management code of practice which is specified for this purpose by regulations under sub-paragraph (2).
 - (2B) The Secretary of State may by regulations made by statutory instrument –
 - (a) specify a class of building, and
 - (b) provide that a tenancy –
 - (i) does not fall within this paragraph if the dwelling-house is in a building of the specified class, or
 - (ii) falls within this paragraph only if the dwelling-house is in a building of the specified class.

- (2C) The Secretary of State may by regulations made by statutory instrument—
 - (a) specify a student landlord or a class of student landlord,
 - (b) specify a class of building in relation to the specified student landlord or specified class of student landlord, and
 - (c) provide that, where the landlord is the specified student landlord, or a student landlord of the specified class, the tenancy—
 - (i) does not fall within this paragraph if the dwelling-house is in the specified class of building, or
 - (ii) falls within this paragraph only if the dwelling-house is in the specified class of building.
- (2D) Regulations under sub-paragraph (2B)(a) or (2C)(b) may, in particular, specify as a class of building—
 - (a) the buildings, or
 - (b) a class of the buildings,from time to time subject to a housing management code of practice which is specified for this purpose by regulations under sub-paragraph (2B)(a) or (2C)(b).
- (2E) Regulations under sub-paragraph (2C)(a) may, in particular, specify as a class of student landlord—
 - (a) the members, or
 - (b) a class of the members,from time to time of a housing management code of practice which is specified for this purpose by regulations under sub-paragraph (2C)(a).”;
- (c) in sub-paragraph (3), for “the power conferred by sub-paragraph (2) above” substitute “a power conferred by this section”;
- (d) after sub-paragraph (3) insert—
 - “(4) Regulations under this paragraph—
 - (a) may make different provision for different purposes;
 - (b) may make supplemental, consequential, incidental, transitional, transitory or saving provision.
 - (5) The question of whether or not a tenancy is within this paragraph is to be determined by reference to the circumstances at the time when the tenancy is granted.
 - (6) A change in the circumstances after that time does not affect whether or not a tenancy is within this paragraph, except in a case where—
 - (a) the tenant is entitled to possession of the dwelling-house at a time after the tenancy was granted, and

- (b) at the time when the tenant is entitled to possession—
 - (i) condition A is met (see sub-paragraph (8)),
 - (ii) condition B is met (see sub-paragraphs (9) and (10)), or
 - (iii) both of those conditions are met.
- (7) In such a case, the tenancy ceases to fall within this paragraph (and accordingly this paragraph ceases to prevent the tenancy from being an assured tenancy) at the time when the tenant is entitled to possession.
- (8) Condition A is met if—
 - (a) the tenancy was granted by a body of persons who were, at the time of the grant, a specified landlord solely by reference to a code of practice, but
 - (b) at the time when the tenant is entitled to possession of the dwelling-house, the landlord (whether that is the body of persons who granted the tenancy or a successor in title) is not a student landlord.
- (9) Condition B is met if—
 - (a) at the time when the tenancy was granted—
 - (i) regulations under sub-paragraph (2B) or (2C) were in force, but
 - (ii) those regulations did not prevent the tenancy from being within this paragraph, but
 - (b) at the time when the tenant is entitled to possession of the dwelling-house—
 - (i) regulations under sub-paragraph (2B) or (2C) are in force, and
 - (ii) those regulations prevent the tenancy from being within this paragraph.
- (10) But condition B is not met in any circumstances that are specified, or are of a description specified, for this purpose by regulations made by the Secretary of State.
- (11) For the purposes of this paragraph—
 - (a) “student landlord” means an institution or body of persons specified, or of a class specified, for the purposes of this paragraph (see sub-paragraph (2));
 - (b) “housing management code of practice” means a code of practice approved by the Secretary of State under section 233 of the Housing Act 2004 (codes relating to the management of HMOs or excepted accommodation);
 - (c) a building is “subject to” a housing management code of practice if it—
 - (i) is a particular building subject to the code, or
 - (ii) is of a class of buildings subject to the code;

- (d) a reference to—
 - (i) a class of the buildings from time to time subject to a housing management code of practice, or
 - (ii) a class of the members from time to time of a housing management code of practice,
 includes the buildings or members that are from time to time in a class provided for in the code of practice;
- (e) a body of persons are “a specified landlord solely by reference to a code of practice” if they —
 - (i) are a member of a housing management code of practice that is specified by regulations under sub-paragraph (2A), and
 - (ii) are not specified by regulations under sub-paragraph (2) as a body of persons otherwise than as a member of that code of practice.””

Member's explanatory statement

Paragraph 8 of Schedule 1 to the Housing Act 1988 provides for certain student lettings not to be assured tenancies. This amendment would enable the exemption to be limited to buildings of a specified class; and for regulations to operate by reference to codes of practice approved under section 233 of the Housing Act 2004.

After Clause 34

LORD YOUNG OF COOKHAM

189 After Clause 34, insert the following new Clause —

“Code of conduct for private sector residential landlords letting to students

- (1) Schedule 1 of the Housing Act 1988 is amended as follows.
- (2) In paragraph 8(1), at end insert “, or by a private sector residential landlord (whether an individual or not) who has signed up to a specified code of conduct”.
- (3) After paragraph 8(3) insert—
 - “(4) In sub-paragraph (1) above, “specified code of conduct” means such code of conduct as the Secretary of State approves or causes to be published in relation to this paragraph.””

After Clause 36

LORD BLACK OF BRENTWOOD
 LORD LEXDEN
 BARONESS COFFEY

190 After Clause 36, insert the following new Clause –

“Discrimination relating to pets

- (1) A relevant person must not, in relation to a dwelling that is to be let on an agreement which may give rise to a relevant tenancy –
 - (a) on the basis that a pet would or may live with or visit a person at the dwelling if the dwelling were the person’s home, prevent the person from –
 - (i) enquiring whether the dwelling is available for let,
 - (ii) accessing information about the dwelling,
 - (iii) viewing the dwelling in order to consider whether to seek to rent it, or
 - (iv) entering into a tenancy of the dwelling, or
 - (b) apply a provision, criterion or practice in order to make people who would have a pet live with or visit them at the dwelling, if it were their home, less likely to enter into a tenancy of the dwelling than people who would not.
- (2) Subsection (1) does not apply if –
 - (a) the relevant person can show that the conduct is a proportionate means of achieving a legitimate aim, or
 - (b) the relevant person can show that the prospective landlord of the dwelling, or a person who would be a superior landlord in relation to the dwelling, is insured under a contract of insurance –
 - (i) to which section 40 does not apply, and
 - (ii) which contains a term which makes provision (however expressed) requiring the insured to prohibit a tenant under a relevant tenancy from having a pet live with them at the dwelling or to restrict the circumstances in which such a tenant may have a pet live with them at the dwelling, and the conduct is a means of preventing the insured from breaching that term.
- (3) Conduct does not breach the prohibition in subsection (1) if it consists only of –
 - (a) one or more of the following things done by a person who does nothing in relation to the dwelling that is not mentioned in this paragraph –
 - (i) publishing advertisements or disseminating information;
 - (ii) providing a means by which a prospective landlord can communicate directly with a prospective tenant;
 - (iii) providing a means by which a prospective tenant can communicate directly with a prospective landlord, or

- (b) things of a description, or things done by a person of a description, specified for the purposes of this section in regulations made by the Secretary of State.”

BARONESS JONES OF MOULSECOOMB

191 After Clause 36, insert the following new Clause—

“Discrimination relating to requirement for home adaptations

A relevant person must not, in relation to a dwelling that is to be let on an agreement which may give rise to a relevant tenancy—

- (a) on the basis that a person does or may require home adaptations, prevent the person from—
 - (i) enquiring whether the dwelling is available for let,
 - (ii) accessing information about the dwelling,
 - (iii) viewing the dwelling in order to consider whether to seek to rent it, or
 - (iv) entering into a tenancy for the dwelling, or
- (b) apply a provision, criterion or practice that would make people requiring home adaptations less likely to enter into a tenancy of the dwelling than people who do not require home adaptations.”

Member's explanatory statement

This new clause would prevent discrimination against prospective tenants who may require home adaptations for accessibility.

Clause 37

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS COFFEY

192 Clause 37, page 52, line 32, at end insert—

- “(5) A term of a relevant tenancy or regulated tenancy is of no effect so far as the term makes provision (however expressed) prohibiting the tenant from having a pet live with them at the dwelling or restricting the circumstances in which the tenant may have a pet do so.
- (6) Subsection (5) does not apply if—
 - (a) the provision is a proportionate means of achieving a legitimate aim, or
 - (b) the landlord or a superior landlord is insured under a contract of insurance—
 - (i) to which section 40 does not apply, and
 - (ii) which contains a term which makes provision (however expressed) requiring the insured to prohibit the tenant from having a pet live with them at the dwelling or to restrict the circumstances in which

the tenant may have a pet live with them at the dwelling, and the provision in the tenancy is a means of preventing the insured from breaching that term.”

Clause 38

LORD BLACK OF BRENTWOOD
LORD LEXDEN

193 Clause 38, page 53, line 25, at end insert –

- “(4A) A term of a lease of premises that consist of or include a dwelling is of no effect so far as the term makes provision (however expressed) requiring a tenant under that or any inferior lease to –
- (a) prohibit a sub-tenant under a relevant tenancy or regulated tenancy from having a pet live with them at the dwelling, or
 - (b) restrict the circumstances in which a sub-tenant under a relevant tenancy or regulated tenancy may have a pet live with them at the dwelling.
- (4B) Subsection (4A) does not apply if –
- (a) the provision is a proportionate means of achieving a legitimate aim, or
 - (b) the landlord under the lease or a superior landlord is insured under a contract of insurance –
 - (i) to which section 40 does not apply, and
 - (ii) which contains a term which makes provision (however expressed) requiring the insured to prohibit a sub-tenant from having a pet live with them at the dwelling or to restrict the circumstances in which a sub-tenant may have a pet live with them at the dwelling, and the provision in the lease is a means of preventing the insured from breaching that term.”

Clause 39

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS COFFEY

194 Clause 39, page 54, line 2, at end insert –

- “(3) A term of a mortgage of premises that consist of or include a dwelling is of no effect so far as the term makes provision (however expressed) requiring the mortgagor to –
- (a) prohibit a tenant under a relevant tenancy or regulated tenancy from having a pet live with them at the dwelling, or
 - (b) restrict the circumstances in which a tenant under a relevant tenancy or regulated tenancy may have a pet live with them at the dwelling.”

Clause 40

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS COFFEY

195 Clause 40, page 54, line 15, at end insert –

- “(2A) A term of a contract of insurance to which this section applies is of no effect so far as the term makes provision (however expressed) requiring the insured to –
- (a) prohibit a tenant under a relevant tenancy or regulated tenancy from having a pet live with them at the dwelling, or
 - (b) restrict the circumstances in which a tenant under a relevant tenancy or a regulated tenancy may have a pet live with them at the dwelling.”

Clause 41

LORD BLACK OF BRENTWOOD
LORD LEXDEN
BARONESS COFFEY

196 Clause 41, page 55, line 17, after “36” insert “and section (*Discrimination relating to pets*)”

Clause 42

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

197 Clause 42, page 56, line 4, leave out “on the balance of probabilities” and insert “beyond reasonable doubt”

Member's explanatory statement

This amendment, in conjunction with another amendment in Lord Etherton's name to clause 59, imposes a uniform standard of proof – beyond reasonable doubt – where the local housing authority imposes a financial penalty.

LORD BLACK OF BRENTWOOD
LORD LEXDEN

198 Clause 42, page 56, line 6, after “36” insert “and section (*Discrimination relating to pets*)”

After Clause 42

BARONESS JONES OF MOULSECOOMB

199 After Clause 42, insert the following new Clause –

“Assistance with complaint under landlord redress scheme

- (1) A local housing authority must take the action provided by this section if satisfied on a balance of probabilities that a person has breached a requirement imposed by –
 - (a) section 35;
 - (b) section 36;
 - (c) provisions made by regulations under section 41.
- (2) A local housing authority must offer the tenant or prospective tenant affected by the breach identified under subsection (1) the assistance described in subsection (3).
- (3) The assistance to be offered is –
 - (a) assistance in preparing a complaint to the landlord redress scheme established under section 65, including obtaining all necessary evidence and drafting the complaint;
 - (b) assistance in responding to requests for further information and evidence from the landlord redress scheme.”

Member's explanatory statement

Where a local housing authority imposes a financial penalty under section 42 for breach of the anti-discrimination provisions, this amendment would require the authority to assist the prospective tenant with a complaint to the new private rented sector ombudsman set up under section 65.

Clause 59

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

200 Clause 59, page 88, line 33, leave out “on the balance of probabilities” and insert “beyond reasonable doubt”

Member's explanatory statement

This amendment, in conjunction with another amendment in Lord Etherton's name to clause 42, imposes a uniform standard of proof – beyond reasonable doubt – where the local housing authority imposes a financial penalty.

Clause 60

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

201 Clause 60, page 90, line 18, leave out “£40,000” and insert “£7,000”

Member's explanatory statement

This limits the local housing authority's power to impose a financial penalty to £7,000.

After Clause 63

BARONESS TAYLOR OF STEVENAGE

202 After Clause 63, insert the following new Clause –

“Student accommodation that is not an HMO

(1) Schedule 14 to the Housing Act 2004 (buildings which are not HMOs) is amended in accordance with subsections (2) and (4).

(2) After paragraph 3 insert –

“Buildings occupied by students: England

3A (1) Any building in England –

- (a) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment, or at an educational establishment of a specified description, and where the person managing or having control of it is the educational establishment in question, or
- (b) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at an educational establishment and where the person managing or having control of it is a specified person or a person of a specified description.

(2) In –

- (a) sub-paragraph (1)(a) “specified” means specified for the purposes of that sub-paragraph in regulations made by the Secretary of State;
- (b) sub-paragraph (1)(b) “specified” means specified for the purposes of that sub-paragraph in regulations made by the Secretary of State;

and the regulations may (in particular) provide that an educational establishment is specified, or of a specified description, for the purposes of sub-paragraph (1)(b).

(3) Those regulations may, in particular, specify –

- (a) as a description of educational establishment for the purposes of sub-paragraph (1)(a), or
 - (b) as a description of person for the purposes of sub-paragraph (1)(b),

the members from time to time, or a description of the members from time to time, of a housing management code of practice which is specified in the regulations.
- (4) The Secretary of State may by regulations –
 - (a) specify a class of building, and
 - (b) provide that a building –
 - (i) does not fall within this paragraph if it is of the specified class, or
 - (ii) falls within this paragraph only if it is of the specified class.
- (5) The Secretary of State may by regulations –
 - (a) specify a building manager or a class of building manager,
 - (b) specify a class of building in relation to the specified building manager or the specified class of building manager, and
 - (c) provide that a building which the specified building manager, or a building manager of the specified class, manages or has control of –
 - (i) does not fall within this paragraph if the building is of the specified class, or
 - (ii) falls within this paragraph only if the building is of the specified class.
- (6) Regulations under sub-paragraph (4)(a) or (5)(b) may, in particular, specify as a class of building –
 - (a) the buildings, or
 - (b) a class of the buildings,

from time to time subject to a housing management code of practice which is specified for this purpose by regulations under sub-paragraph (4)(a) or (5)(b).
- (7) Regulations under sub-paragraph (5)(a) may, in particular, specify as a class of building manager –
 - (a) the members, or
 - (b) a class of the members,

from time to time of a housing management code of practice which is specified for this purpose by regulations under sub-paragraph (5)(a).
- (8) For the purposes of this paragraph –
 - (a) “building manager” means an educational establishment or other person managing or having control of a building;
 - (b) “housing management code of practice” means a code of practice approved by the Secretary of State under section 233 (codes

- relating to the management of HMOs or excepted accommodation);
- (c) a building is “subject to” a housing management code of practice if it —
 - (i) is a particular building subject to the code, or
 - (ii) is of a class of buildings subject to the code;
- (d) a reference to —
 - (i) a class of the buildings from time to time subject to a housing management code of practice, or
 - (ii) a class of the members from time to time of a housing management code of practice,
 includes the buildings or members that are from time to time in a class provided for in the code of practice.”
- (3) Any regulations made by the Secretary of State under paragraph 4 of Schedule 14 to the Housing Act 2004 before the coming into force of this section are to continue to have effect on and after the coming into force of this section as if made under paragraph 3A of that Schedule (inserted by this section).
- (4) In paragraph 4 (buildings occupied by students) —
 - (a) in the heading, after “students” insert “: Wales”;
 - (b) in sub-paragraph (1), in the words before paragraph (a), after “building” insert “in Wales”.
 - (c) in sub-paragraph (2), for “appropriate national authority” substitute “Welsh Ministers”.
 - (d) in sub-paragraph (3), for “appropriate national authority” substitute “Welsh Ministers”.
 - (e) in sub-paragraph (4) —
 - (i) in the words before paragraph (a), for “appropriate national authority may have regard to the extent to which, in its opinion” substitute “Welsh Ministers may have regard to the extent to which, in their opinion”;
 - (ii) in paragraph (a), for “authority” substitute “Welsh Ministers”.
- (5) In consequence of the other amendments made by this section —
 - (a) in paragraph 16E(3) of Schedule 2 to the Finance Act 2019 (inserted by Schedule 1 to the Finance Act 2025) (meaning of “institutional building”), in paragraph (i)(i) and (ii) (buildings occupied by students), for “paragraph 4” substitute “paragraph 3A or 4”;
 - (b) in the Capital Allowances Act 2001, in section 270CF (exclusion from qualifying use: residential use), in subsection (1)(b), for “paragraph 4” substitute “paragraph 3A or 4”.
- (6) Any regulations made by the Treasury under paragraph 16E(3)(i)(ii) of Schedule 2 to the Finance Act 2019 before the coming into force of this section which designate provision as provision corresponding to paragraph 4 of Schedule 14 to the Housing Act 2004 are to continue to have effect on and after the coming into

force of this section as if they designated the provision as provision corresponding to paragraph 3A or 4 of that Schedule.”

Member's explanatory statement

Paragraph 4 of Schedule 14 to the Housing Act 2004 provides for certain buildings used as student accommodation not to be a house in multiple occupation. This amendment would enable the exemption to be limited to buildings of a specified description; and for regulations to operate by reference to codes of practice approved under section 233 of the Housing Act 2004.

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS HAYTER OF KENTISH TOWN
BARONESS THORNHILL

203

After Clause 63, insert the following new Clause—

“Training and qualifications of property agents managing assured tenancies

- (1) The Secretary of State may by regulations require that individuals undertaking the activities of a property agent in respect of management of assured tenancies must have, or be working toward, specific mandatory qualifications, as defined by regulations to demonstrate competency to undertake their property agency roles.
- (2) Regulations under this section—
 - (a) are to be made by statutory instrument;
 - (b) may make provision generally or only in relation to specific cases;
 - (c) may make different provision for different purposes;
 - (d) may include supplementary, incidental, or transitional provision;
 - (e) must specify classes or types of employees who must be qualified and the appropriate qualification level for each such group;
 - (f) must specify syllabuses and testing methods for qualifications;
 - (g) must specify means of training provision and minimum training hours;
 - (h) must specify requirements for continuous professional development;
 - (i) must approve providers for the provision of training and qualifications.
- (3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
LORD TRUSCOTT

204 After Clause 63, insert the following new Clause –

“Enforcement of agent qualification regulations

- (1) The requirement in section (*Training and qualifications of property agents managing assured tenancies*)(1) is a condition of membership of any approved redress scheme for property agents in respect of –
 - (a) lettings of assured tenancies, and
 - (b) sales of assured tenancies.
- (2) The Secretary of State may by regulations make provision about the enforcement of a duty imposed by regulations under section (*Training and qualifications of property agents managing assured tenancies*).
- (3) The regulations may require a property agent who fails to comply with a duty imposed by regulations to pay a financial penalty (or more than one penalty in the event of a continuing failure).
- (4) The provision that may be made under subsection (2) includes provision –
 - (a) about the procedure to be followed in imposing penalties;
 - (b) about the amount of penalties;
 - (c) conferring rights of appeal against penalties;
 - (d) for the enforcement of penalties.
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

LORD YOUNG OF COOKHAM

205 After Clause 63, insert the following new Clause –

“Ensuring sufficient court resources for processing possession case licence applications

- (1) The Housing Act 2004 is amended as follows.
- (2) After section 63, insert –

“63A Ensuring sufficient court resources for processing possession case licence applications

- (1) The Secretary of State must, within six months of the day on which the Renters Rights' Act 2025 is passed, lay a statement before Parliament detailing the measures to be taken to ensure that there is sufficient physical court capacity, court staff, and judges to handle the potential increased volume of cases related to possession case licence applications arising from changes made by the Renters' Rights Act 2025.

- (2) The statement must include, but is not limited to –
 - (a) an assessment of current court capacity and staffing levels,
 - (b) projections of future case volumes and the corresponding resource requirements,
 - (c) a plan for recruiting and training additional court staff and judges, and
 - (d) measures to enhance the efficiency of court operations.”

Member's explanatory statement

This new section in the Housing Act 2004 would require the Minister to explain what steps have been taken to ensure the courts have enough resources to deal with a likely increase in contested hearings as a result of this Bill.

BARONESS JONES OF MOULSECOOMB

206

After Clause 63, insert the following new Clause –

“Mediated rent pauses (housing conditions)

- (1) This section applies where –
 - (a) there is a tenancy to which section 9A of the Landlord and Tenant Act 1985 applies;
 - (b) it appears to the tenant that the landlord has breached the covenant implied by that section; and
 - (c) it appears to the tenant that the landlord has failed to carry out works necessary to remedy any such breaches within the timeframes set out in regulations made by the Secretary of State under section 10A(3) of that Act.
- (2) A tenant is entitled to make arrangements to pay rent to an independent individual, rather than to the relevant landlord.
- (3) The independent individual must not pass any rent paid under subsection (2) to the landlord until there has been a determination or agreement between the landlord and tenant as to the landlord's liability for any breach of the covenant implied by section 9A of the Landlord and Tenant Act 1985.
- (4) Where a determination or agreement under subsection (3) sets a time by which works are to be completed, the independent individual will –
 - (a) release any rent paid under subsection (2) to the landlord if the works are completed by that time;
 - (b) release any rent paid under subsection (2) back to the tenant if the works have not been completed by that time.
- (5) In this section an “independent individual” means the independent individual responsible for investigating complaints made against members of a landlord redress scheme under section 65.”

Clause 65

LORD HACKING

207 Clause 65, page 99, line 25, leave out “may” and insert “must”

Member's explanatory statement

This amendment alters the Bill so that the Secretary of State must make regulations requiring a residential landlord to be a member of a landlord redress scheme, rather than leaving it to the Secretary of State's discretion to make regulations.

BARONESS SCOTT OF BYBROOK

208 Clause 65, page 99, line 25, at end insert “, whose property is not managed by an agent who is a member of an independent redress scheme approved by the Secretary of State,”

Member's explanatory statement

This amendment would only require a residential landlord to be a member of the landlord redress scheme if their tenant does not already have access to one by virtue of the landlord using an agent who is a member of another approved independent redress scheme to avoid duplication.

BARONESS TAYLOR OF STEVENAGE

209 Clause 65, page 99, line 36, at end insert —

“(2A) A scheme must not be approved or designated under subsection (2)(b) unless it satisfies the conditions set out in regulations made under section 66(2).”

Member's explanatory statement

This amendment provides that a landlord redress scheme must not be approved or designated by the Secretary of State for that purpose unless the scheme meets the conditions set out in regulations made under clause 66(2).

LORD HACKING

210 Clause 65, page 100, line 6, at end insert —

“(3A) The Secretary of State may only approve or designate one redress scheme under subsection (1) at any one time.”

Member's explanatory statement

This amendment alters the Bill so that the Secretary of State may only approve or designate one landlord redress scheme for the private rented sector.

Clause 66

BARONESS TAYLOR OF STEVENAGE

- 211** Clause 66, page 101, leave out lines 18 and 19

Member's explanatory statement

This amendment clarifies that the Secretary of State is not required to make regulations under clause 65 before making regulations under clause 66.

BARONESS TAYLOR OF STEVENAGE

- 212** Clause 66, page 101, line 21, leave out “before a scheme is” and insert “for a scheme to be”

Member's explanatory statement

This amendment clarifies that the Secretary of State has a freestanding duty to make regulations under clause 66 which set out the conditions that must be met by a landlord redress scheme for the scheme to be approved or designated under clause 65(2).

BARONESS TAYLOR OF STEVENAGE

- 213** Clause 66, page 102, line 25, leave out “and the expulsion has not been revoked” and insert “, except in circumstances specified in the regulations”

Member's explanatory statement

This ensures that a person who has been expelled from a scheme may join another scheme in appropriate circumstances.

LORD HACKING

- 214** Clause 66, page 102, line 29, at end insert –

“(q) for the provision of facilities for persons who are unable to use a computer or other electronic device, or do not wish to do so, to engage with the redress scheme.”

Member's explanatory statement

This amendment makes it a condition for any approved or designated redress scheme to provide access to the redress scheme for those who are digitally excluded or who wish to use means other than a computer to do so.

LORD HACKING

215 Clause 66, page 102, line 29, at end insert —

“(q) for the provision of such support as the Secretary of State considers to be appropriate and proportionate for tenants experiencing housing-related problems including problems relating to employment, debt and welfare.”

Member's explanatory statement

This amendment makes it a condition of any approved or designated redress scheme to make whatever provision the Secretary of State may consider appropriate and proportionate, to support tenants experiencing housing-related problems such as debt and welfare.

LORD HACKING

216 Clause 66, page 103, line 15, leave out paragraph (a)

Member's explanatory statement

This amendment seeks to ensure that the Secretary of State may only approve or designate a single landlord redress scheme for the private rented sector.

Clause 67

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

217 Clause 67, page 104, line 24, leave out from “£7,000” to end of line 25

Member's explanatory statement

This limits the local housing authority's power to impose a financial penalty to £7,000.

Clause 68

BARONESS THORNHILL

218 Clause 68, page 106, line 25, at end insert —

“(9) A person commits an offence if that person is a residential landlord in relation to a dwelling that is required to be a member of the landlord redress scheme under Chapter 2 (see section 65(1)) but fails to join the scheme.”

Member's explanatory statement

This probing amendment makes it an offence for a residential landlord to fail to join the landlord redress scheme when required to do so under Section 65 of this Act and seeks to query the Government's view on enforceability for the provisions related to the landlord redress scheme.

Clause 76

LORD HACKING

- 219** Clause 76, page 110, line 5, after “must” insert “, within one year of the day on which the Act is passed,”

Member's explanatory statement

This amendment requires the database to be established within one year of the Renters' Rights Act coming into force.

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

- 220** Clause 76, page 110, line 5, after second “database” insert “for the benefit of tenants, landlords, local authorities and other interested stakeholders”

Member's explanatory statement

This amendment makes clear that the database is for the benefit of landlords, tenants, and other parties as well as local authorities.

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

- 221** Clause 76, page 110, line 18, at end insert –
- “(d) entries containing details of landlord gas safety records and landlord electrical installation condition reports for dwellings which are or intended to be let under residential tenancies.”

Member's explanatory statement

This would include landlord records of gas and electrical safety checks in the PRS database. Permits the Secretary of State to make regulations to enable the PRS database to register landlord records of gas and electrical safety checks.

BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY
BARONESS FREEMAN OF STEVENTON

- 222** Clause 76, page 110, line 18, at end insert –
- “(d) in respect of a landlord entry –
- (i) the address and contact details of the landlord;
 - (ii) the address and contact details of any managing agent;
 - (iii) details of each rented property owned by the landlord;

- (iv) details of any enforcement action under landlord and tenant law that the local authority has taken against the landlord;
- (v) details of any enforcement action under landlord and tenant law that the local authority has taken against any managing agent;
- (vi) details of any banning orders or rent repayment orders that have been made against the landlord;
- (vii) details of any reports that the landlord has failed to carry out works necessary to remedy any breaches within the timeframes set out by regulations made by the Secretary of State under section 10A(3) of the Landlord & Tenant Act 1985;
- (e) in respect of a dwelling entry –
 - (i) the address and contact details of the landlord,
 - (ii) the address and contact details of any managing agent,
 - (iii) details of any notices given to any previous tenant under section 8 of the Housing Act 1988, including the grounds relied upon,
 - (iv) details of the rent that was payable at the commencement of the tenancy,
 - (v) details of any increases in rent in relation to any previous tenancy,
 - (vi) details of energy performance certificates required by regulation 6(5) of the Energy Performance of Buildings (England and Wales) Regulations 2012 (S.I. 2012/3118),
 - (vii) details of gas safety certificates required by regulation 36 of the Gas Safety (Installation and Use) Regulations 1998 (S.I. 1998/2451),
 - (viii) details of electrical safety reports required by the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2010 (S.I. 2020/312),
 - (ix) details of checks required under Regulation 4(1)(b) of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (S.I. 2015/1693), and
 - (x) details of any features of the dwelling relevant to people with disabilities.”

Member's explanatory statement

This amendment expands the types of information, or documents required to register on the private renter sector database.

BARONESS THORNHILL

223

Clause 76, page 110, line 18, at end insert –

- “(d) entries in respect of all landlord notices served under section 8 of the Housing Act 1988, to be registered within 7 days of service.”

Member's explanatory statement

This amendment seeks to require entries to the database to include notices served under section 8 of the Housing Act 1988 within 7 days of registration.

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

224 Clause 76, page 110, line 23, at end insert —

- “(c) “landlord gas safety record” means a record made under regulation 36(3)(c) of the Gas Safety (Installation and Use) Regulations 1998 (S.I. 1998/2451);
- (d) “landlord electrical installation condition report” means a record made under regulation 3(3) of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 (S.I. 2020/312).”

Member's explanatory statement

This is related to another amendment in the name of Lord Best.

Clause 77

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

225 Clause 77, page 110, line 36, at end insert “including functionality to allow the upload of data on behalf of landlords by nominated agents and the ability to identify any need for and to apply for local authority licences required for the relevant dwelling”

Member's explanatory statement

This amendment makes clear that the database should allow letting agents to upload data for their landlords and also that the database should provide a portal to help landlords identify if their properties require licensing under an applicable local authority scheme and to apply for those licences if required.

BARONESS THORNHILL

226 Clause 77, page 111, line 9, at end insert —

- “(e) create provisions for financial penalties for non-compliance with the requirements for a database entry, including, but not limited to, provision for a rent repayment order where a person has failed to ensure that a required entry is up-to-date and active.”

Member's explanatory statement

This amendment would include rent repayments orders for non-registration of the database created under this Act.

Clause 78

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

227 Clause 78, page 111, line 25, at end insert –

“(e) require authorised providers of landlord gas safety records and landlord electrical installation condition reports to upload digital copies of such records and reports to the database.”

Member's explanatory statement

This amendment would allow the Secretary of State to make regulations to require gas and electrical safety certificate providers to upload certificates to the PRS database so that it becomes a full digital record of these records.

BARONESS GRENDER

228★ Clause 78, page 111, line 25, at end insert –

“(2A) Regulations under this section may also require the database to include information on any ongoing or resolved disputes relating to rent levels or other tenancy issues, including details on the nature of the dispute, the parties involved, the outcome or current status, and the time taken to reach resolution.”

Member's explanatory statement

This amendment ensures that the database includes details of tenancy disputes – such as those relating to rent levels – along with their outcomes and resolution times, to improve transparency and oversight in the private rented sector.

Clause 85

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

229 Clause 85, page 117, line 11, leave out “and dwelling in respect of which,”

LORD BEST
LORD YOUNG OF COOKHAM
BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY

230 Clause 85, page 117, line 12, at end insert —

“(1A) The database operator must allocate a unique identifier for each dwelling in respect of which an entry is made in the database under this chapter which is the Unique Property Reference Number for that dwelling.”

Member's explanatory statement

This amendment requires the PRS database to make use of UPRNs which are a universal means of identifying property.

Clause 86

LORD HACKING

231 Clause 86, page 117, line 28, after “operator” insert “, including by means not requiring access to a computer or electronic device,”

Member's explanatory statement

This amendment requires the database operator to ensure that facilities are available for persons to report breaches of any requirement to be reported to the database operator by offline means.

LORD HACKING

232 Clause 86, page 117, line 32, at end insert —

“(e) ensure that facilities are available for persons who are unable to use a computer or other electronic device, or do not wish to do so, to access the database.”

Member's explanatory statement

This amendment requires the database operator to ensure that facilities are available for people to access information on the database, in situations where they do not have access to a computer or electronic device.

Clause 87

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

233★ Clause 87, page 118, line 36, at end insert —

“(f) mortgage lenders”

Member's explanatory statement

This amendment includes an express provision within the Bill to give mortgage lenders access to information on the database, so they could use the information at buy-to-let (BTL) mortgage application stage to deny finance to rogue and negligent landlords.

Clause 88

BARONESS TAYLOR OF STEVENAGE

234 Clause 88, page 119, line 4, after “(2)” insert “or (3)”

Member's explanatory statement

This enables a database operator to disclose information from the database to the Secretary of State.

Clause 91

BARONESS THORNHILL

235 Clause 91, page 121, line 3, leave out from beginning to “while” in line 4 and insert “No section 8 notice may be given”

Member's explanatory statement

This amendment seeks to prevent an eviction notice under section 8 of the Housing Act 1988 being issued while the landlord was in breach of section 83(3) of this Act.

BARONESS THORNHILL

236 Clause 91, page 121, line 6, leave out “(a)”

Member's explanatory statement

This amendment would ensure that the compliance of landlords with respect to section 83(3) applies to the whole of subsection (3).

LORD HACKING

237 Clause 91, page 121, line 7, leave out from “dwelling-house” to end of line 9

Member's explanatory statement

This amendment removes the exception for landlords to be registered on the private rented sector database before a court can grant possession in cases where Ground 7A of the Housing Act 1998 (possession for anti-social behaviour) is relied on.

BARONESS THORNHILL

238 Clause 91, page 121, line 10, leave out “section 7” and insert “sections 7 and 8”

Member's explanatory statement

This amendment seeks to ensure that the requirement for an up-to-date database entry, as set out in other amendments tabled by Baroness Thornhill, also applies to section 8 of the Housing Act 1988.

BARONESS THORNHILL

239 Clause 91, page 121, line 14, leave out “(a)”

Member's explanatory statement

This amendment, along with another in the name of Baroness Thornhill, seeks to invalidate a section 8 notice where there is a breach of section 83(3) of this Act.

BARONESS THORNHILL

240 Clause 91, page 121, line 14, after “prevents” insert “the service of valid notice or”

Member's explanatory statement

This amendment, along with another in the name of Baroness Thornhill, seeks to invalidate a section 8 notice where there is a breach of section 83(3) of this Act.

Clause 92

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

241 Clause 92, page 121, line 23, leave out from “£7,000” to end of line 24

Member's explanatory statement

This limits the local housing authority's power to impose a financial penalty to £7,000.

Clause 93

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

242 Clause 93, page 122, line 18, leave out “or recklessly”

Member's explanatory statement

Where a person commits an offence in the provision of false or misleading information to the database operator, this amendment limits the culpable state of mind of the perpetrator to actual knowledge.

BARONESS THORNHILL

243 Clause 93, page 123, line 30, at end insert —

“(10) A person commits an offence if, as a residential landlord of a dwelling, they breach the requirement under section 83(3)(a) to ensure that there is an active landlord entry for themselves and an active dwelling entry for the dwelling in the database.””

Member's explanatory statement

This probing amendment makes it an offence for a residential landlord to fail to ensure that both they and their dwelling are actively registered in the database, as required by section 83(3)(a) and seeks to query the Government's view on enforceability for the provisions related to the PRS database.

Clause 99

BARONESS TAYLOR OF STEVENAGE

244 Clause 99, page 126, line 7, at end insert —

- “(aa) in line 5 of the table in that subsection, in the third column, for “control or management of unlicensed HMO” substitute “offences relating to unlicensed HMOs”;
- (ab) in line 6 of the table in that subsection, in the third column, for “control or management of unlicensed house” substitute “offences relating to unlicensed houses”;

Member's explanatory statement

This updates the description of offences under section 72(1) and 95(1) of the Housing Act 2004 to reflect changes made to those provisions by clause 105 of the Bill.

BARONESS TAYLOR OF STEVENAGE

245 Clause 99, page 126, line 34, leave out “, 2B”

Member's explanatory statement

This amendment is consequential on the amendment in my name amending clause 99 to insert a new row into section 44(2) of the Housing and Planning Act 2016 to deal with this case.

BARONESS TAYLOR OF STEVENAGE

246 Clause 99, page 126, line 36, at end insert —

“(aa) in subsection (2), after the first row of the table insert —

<p>“an offence mentioned in row 2B of the table in section 40(3)</p>	<p>the period of 2 years ending with the date of the offence or, if the tenancy ends before that date, the date on which it ends”;</p>
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Member's explanatory statement

This provides that the amount of rent to be repaid under a rent repayment order in relation to an offence under section 16J(2) of the Housing Act 1988 is to be calculated by reference to the rent paid in respect of the two years prior to either the date of the offence, or if the tenancy ends before that date, the date on which it ends.

BARONESS TAYLOR OF STEVENAGE

247 Clause 99, page 127, line 6, leave out “, 2B”

Member's explanatory statement

This amendment is consequential on the amendment in my name amending clause 99 to insert a new row into section 45(2) of the Housing and Planning Act 2016 to deal with this case.

BARONESS TAYLOR OF STEVENAGE

248 Clause 99, page 127, line 8, at end insert —

“(aa) in subsection (2), after the first row of the table insert —

“an offence mentioned in row 2B of the table in section 40(3)	the period of 2 years ending with the date of the offence or, if the tenancy ends before that date, the date on which it ends”;
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Member's explanatory statement

This provides that the amount of rent to be repaid under a rent repayment order in relation to an offence under section 16J(2) of the Housing Act 1988 is to be calculated by reference to the rent paid in respect of the two years prior to either the date of the offence, or if the tenancy ends before that date, the date on which it ends.

Clause 101

THE LORD BISHOP OF MANCHESTER

249 Clause 101, page 129, line 2, leave out from “(homelessness)” to end of line 4

Member's explanatory statement

This amendment would make the Decent homes standard apply to all homeless temporary accommodation provided under the Housing Act 1996.

BARONESS GRENDER

250 Clause 101, page 129, line 4, at end insert —

“(iii) that is provided by the Ministry of Defence for use as service family accommodation.”

Member's explanatory statement

This amendment would extend the Decent Homes Standard to accommodation used by service families.

LORD TOPE
BARONESS LISTER OF BURTERSETT
BARONESS JANKE
THE LORD BISHOP OF CHELMSFORD

251 Clause 101, page 129, line 4, at end insert —

“(iii) the availability of which is secured by the Secretary of State under paragraph 9 of Schedule 10 of the Immigration Act 2016, or sections 4 or 95 of the Immigration and Asylum Act 1999.”

Member's explanatory statement

This amendment would extend the Decent Homes Standard to accommodation provided to people in asylum accommodation.

BARONESS WHITAKER
LORD BOURNE OF ABERYSTWYTH

252 Clause 101, page 130, line 26, at end insert —

“(f) a mobile home which is rented to a tenant by the owner of the mobile home for residential purposes.”

Member's explanatory statement

This amendment seeks to extend the application of the decent homes standard to mobile homes which are rented for residential purposes.

After Clause 101

LORD SHIPLEY

253 After Clause 101, insert the following new Clause —

“Use of licence conditions to improve housing conditions

In section 90 of the Housing Act 2004 (licence conditions), for “the management, use or occupation of the house concerned” substitute “all or any of the following —

“(a) the management, use and occupation of the house concerned, and
(b) the condition and contents of the house concerned.””

Member's explanatory statement

This amendment would enable local authorities operating selective licensing schemes to use licence conditions to improve housing conditions.

LORD SHIPLEY

254 After Clause 101, insert the following new Clause —

“Increases to duration of discretionary licensing schemes

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 60 (Duration, review and revocation of designations), subsection (2), for “five” substitute “ten”.
- (3) In section 84 (Duration, review and revocation of designations), subsection (2), for “five” substitute “ten”.

Member's explanatory statement

This amendment would increase the maximum duration of additional HMO licensing schemes and selective licensing schemes from five to ten years.

Schedule 4

BARONESS TAYLOR OF STEVENAGE

255 Schedule 4, page 228, line 11, leave out “improvement notice” and insert “prohibition order”

Member's explanatory statement

This replaces a reference to the improvement notice with the correct reference to the prohibition order.

BARONESS TAYLOR OF STEVENAGE

256 Schedule 4, page 229, leave out lines 1 to 6

Member's explanatory statement

This amendment removes an amendment to section 33 of the Deregulation Act 2015 that is not necessary as a result of paragraph 68 of Schedule 2, which repeals this section.

Clause 103

BARONESS THORNHILL
BARONESS KENNEDY OF CRADLEY
BARONESS JONES OF MOULSECOOMB

257 Clause 103, page 132, line 6, at end insert —

- “(2B) A first-tier tribunal may also make a rent repayment order where a person listed in subsection (1) has breached a requirement imposed by regulations laid under sections 65(1), 78(1) or 79(1) of the Renters' Rights Act 2025.”

Member's explanatory statement

This amendment would enable a tribunal to make a rent repayment order where a landlord has failed to join a landlord redress scheme or have active entries in the private rented sector database.

After Clause 113

LORD CROMWELL

LORD BEST

THE LORD BISHOP OF MANCHESTER

BARONESS KENNEDY OF CRADLEY

258

After Clause 113, insert the following new Clause –

“Illegal evictions: police and local authority duties

- (1) Where a police force or local housing authority in England receives a complaint alleging that an offence or offences contrary to Section 1 of the Protection from Eviction Act 1977 (‘PFEA offences’) has been committed, it must –
 - (a) notify the local housing authority (where the complaint has been received by a police force) or the police force (where the complaint has been received by a local housing authority) (‘the other party’) with responsibility for the area to which the complaint relates, and
 - (b) co-operate with the other party to promptly and effectively investigate the alleged PFEA offence(s) and any offences committed at the same time, in furtherance of, or as a consequence of, the alleged PFEA offence(s).
- (2) Where a police force or local housing authority receives an allegation that PFEA offences are being committed or at risk of being committed, it must take reasonable steps to prevent those offences continuing or being committed, including, but not limited to, by cooperating with the other party and by taking reasonable steps to assist tenants to regain access to properties from which they have been unlawfully evicted.
- (3) The Secretary of State for Housing, Communities, and Local Government, and the Secretary of State for the Home Department must, within six months of the day on which this Act is passed, issue joint statutory guidance as to how police forces and local housing authorities are to discharge the duties in subsections (1) and (2).”

Member's explanatory statement

This amendment addresses the poorest end of the rental market by removing ambiguities between police and local authorities, clarifying police duties (illegal evictions often incorrectly seen as civil) and enabling efficient information sharing.

Clause 134

BARONESS JONES OF MOULSECOOMB

- 259 Clause 134, Page 155, line 27, at end insert –
 “Energy Act 2011”

Member's explanatory statement

This amendment gives authorities the power to use this data to enforce minimum energy efficiency standards.

Clause 135

THE LORD BISHOP OF MANCHESTER

- 260 Clause 135, page 156, line 30, after “entry),”, insert –
 “(a) in subsection (5)(a), omit “known), and” and insert “unoccupied), or;””

Member's explanatory statement

This amendment seeks to allow the 24 hours' notice requirement for an inspection under Section 239 of the Housing Act 2004 to be served solely on the property's occupier.

After Clause 136

BARONESS SCOTT OF BYBROOK

- 261 After Clause 136, insert the following new Clause –

“Review of the impact of the Act on the housing market

- (1) The Secretary of State must publish an annual report outlining the impact of the provisions of this Act on the housing market in England, Wales and Scotland.
- (2) A report made under this section must include the impact of this Act on –
 - (a) the availability of homes in the private rental sector,
 - (b) rents charged under tenancies,
 - (c) house prices, and
 - (d) requests for social housing.
- (3) A report made under this section must be laid before Parliament.”

Member's explanatory statement

This amendment would require a review of the impact of the Act on the housing market, particularly in relation to availability of rented homes, rents charged, house prices and requests for social housing.

LORD CASHMAN
LORD YOUNG OF COOKHAM
LORD BEST

262 After Clause 136, insert the following new Clause —

“Review of the implications of Act for river houseboat residents

- (1) The Secretary of State must, within six months of the day on which this Act is passed, lay before Parliament a review of the implications of the provisions of this Act on river houseboat residents.
- (2) The review under subsection (1) must include an assessment of the implications of not extending protections under this Act to river houseboat residents, in particular those who pay mooring fees and or licenses to rent a mooring.”

BARONESS THORNHILL

263 After Clause 136, insert the following new Clause —

“Review on impacts of the Act on private rented sector

- (1) The Secretary of State must conduct a review of the impact of this Act on the private rented sector.
- (2) The review must, in particular, assess the impact of the Act on —
 - (a) the supply of housing in the private rented sector,
 - (b) rent levels and affordability,
 - (c) the security of tenure for tenants,
 - (d) the regulatory and financial burden on landlords, and
 - (e) any other factors the Secretary of State considers relevant.
- (3) In conducting the review, the Secretary of State must consult —
 - (a) representatives of tenants and landlords,
 - (b) local housing authorities, and
 - (c) any other persons or bodies the Secretary of State considers appropriate.
- (4) The Secretary of State must lay a report on the findings of the review before Parliament no later than two years after the day on which this Act is passed.
- (5) The report must include —
 - (a) the findings of the review, and
 - (b) any recommendations for legislative or policy changes the Secretary of State considers necessary.”

Member's explanatory statement

This amendment requires the Secretary of State to review and report on the impact of the Act on the private rented sector, including housing supply, rent levels, tenant security, and regulatory burdens, within two years of its enactment.

BARONESS THORNHILL
LORD CARTER OF HASLEMERE

264 After Clause 136, insert the following new Clause –

“Review of the impacts of the Act on the judicial system

- (1) The Secretary of State must conduct a review of the impact of this Act on the judicial system.
- (2) The review must, in particular, assess the impact of the Act on –
 - (a) the volume of cases brought before the courts;
 - (b) the efficiency and timeliness of judicial proceedings;
 - (c) the resource and administrative burden on the courts;
- (3) In conducting the review, the Secretary of State must consult –
 - (a) legal practitioners and representative bodies,
 - (b) court administration officials, and
 - (c) any other persons or bodies the Secretary of State considers appropriate.
- (4) The Secretary of State must lay a report on the findings of the review before Parliament no later than two years after the day on which this Act is passed.”

Member's explanatory statement

This amendment requires the Secretary of State to review and report on the impact of the Act on the judicial system, including case volume, court efficiency, resource burdens, and access to justice, within two years of its enactment.

BARONESS LISTER OF BURTERSETT
LORD CASHMAN
LORD TOPE
THE LORD BISHOP OF MANCHESTER

265 After Clause 136, insert the following new Clause –

“Repeal of right to rent

- (1) The Immigration Act 2014 is amended as follows.
- (2) Omit Sections 20 (residential tenancy agreement) to 37 (interpretation).
- (3) Omit Schedule 3 (excluded residential tenancy agreements).”

Member's explanatory statement

The new clause would abolish the right to rent provision introduced by the Immigration Act 2014.

LORD BEST
LORD SHIPLEY

266 After Clause 136, insert the following new Clause –

“Exemption of purpose-built student accommodation in conformity with a statutory code from licensing provisions

- (1) Paragraph 4 of Schedule 14 to the Housing Act 2004 (buildings occupied by students) is amended as follows.
- (2) For sub-paragraph (1)(b), substitute –
 - “(b) where the person managing it or having control of it is –
 - (i) a higher education establishment in question, or
 - (ii) an institutional provider of student accommodation, or
 - (iii) a specified person or a person of a specified description.”
- (3) After sub-paragraph 5, insert –
 - “(6) For the purposes of sub-paragraph (1), a landlord is an institutional provider of student accommodation if –
 - (a) the landlord uses, or intends to use, the building or relevant dwellings within the building predominantly for the purpose of housing students, and
 - (b) the landlord is in conformity with any code of practice for the time being approved under section 233.””

Member's explanatory statement

This amendment seeks to exempt purpose-built student accommodation in conformity with a statutory code from licensing provisions, in line with the recommendation of the 2019 Government-commissioned independent review into licensing.

LORD YOUNG OF COOKHAM

267 After Clause 136, insert the following new Clause –

“Applications for selective licences

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 87, for subsections (1) to (4) substitute –
 - “(1) The application must be made in accordance with such requirements as the local housing authority may specify.
 - (2) Where multiple applications are submitted within a block with similar units, the authority must consider a simplified application process, where one unit is applied for, and a schedule of similar units attached.
 - (3) The authority may, in particular, require the application to be accompanied by a fee fixed by the authority.

- (4) When fixing fees under this section, the local housing authority may (subject to any regulations made under subsection (5)) take into account —
 - (a) all costs incurred by the authority in carrying out their functions under this Part,
 - (b) all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to Part 3 houses (so far as they are not recoverable under or by virtue of any provision of that Chapter),
 - (c) a proportionate approach, which caps the total fee for multiple units in a block at a level to be determined by the Secretary of State in regulations.
- (4A) A statutory instrument containing regulations under subsection (4)(c) is subject to annulment in pursuance of a resolution of either House of Parliament.””

Member's explanatory statement

This amendment adds new sub-sections (4)(c) and (4A) that for large blocks in single ownership, the fees should be proportionate to work done in licensing the block, and not just the aggregate fee of all the individual units.

LORD YOUNG OF COOKHAM

268

After Clause 136, insert the following new Clause —

“Selective licences: general requirements and duration

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 91(6), at end insert “, except where there is a corporate body, and the licence is passing between employees of the same organisation.””

Member's explanatory statement

This amendment seeks to ensure that a corporate landlord does not have to reapply for a license because the member of staff whose name is on the license has changed.

LORD YOUNG OF COOKHAM

269

After Clause 136, insert the following new Clause —

“Temporary exemption from selective licensing requirement

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 86(1), at end insert “, or
 - (b) a local authority offers a temporary exemption to a person having control of or managing a Part 3 house which is required to be licensed, for reasons of extending time to process license applications.””

Member's explanatory statement

This amendment is designed to facilitate bulk applications by an institutional investor in the private rented sector, which a local authority may require more time to process.

BARONESS GRENDER
BARONESS LISTER OF BURTERSETT

270 After Clause 136, insert the following new Clause —

“Review of Rent Affordability

- (1) The Secretary of State must conduct a review of rent affordability in England.
- (2) The review must assess —
 - (a) the affordability of rents in both the private and social rented sectors,
 - (b) the impact of rent levels on tenants' financial stability and well-being,
 - (c) regional disparities in rental affordability,
 - (d) the effectiveness of existing measures to control excessive rent increases, and
 - (e) the uptake and outcomes of disputes brought before the First-tier Tribunal (Property Chamber) in relation to rent levels, including both successful and unsuccessful cases.
- (3) In carrying out the review, the Secretary of State may take evidence from —
 - (a) tenants and tenant advocacy groups,
 - (b) landlords and property management companies,
 - (c) housing policy experts,
 - (d) local authorities,
 - (e) the First-tier Tribunal (Property Chamber), and
 - (f) any other persons or organisations with relevant expertise.
- (4) The Secretary of State must lay before Parliament a report setting out the findings of the review and any recommendations within 12 months of the day on which this Act is passed.”

Member's explanatory statement

This amendment requires the Secretary of State to conduct a comprehensive review of rent affordability, including the effectiveness of rent dispute mechanisms through the First-tier Tribunal, in collaboration with key stakeholders. The findings must be reported to Parliament.

LORD CASHMAN

271 After Clause 136, insert the following new Clause —

“Definition of “dwelling-house”

- (1) Section 45(1) of the 1988 Act (interpretation of Part I) is amended as follows.

- (2) At the end of the definition of “dwelling-house”, insert “or a boat used as a dwelling”.
- (3) At the end of the definition of “tenancy”, insert “as well as a licence to occupy a boat”.
- (4) At the end of the definition of “tenant”, insert “and a person occupying a boat by virtue of a licence from the person having control of the boat”.
- (5) After the definition of “rates”, insert —
““rent” includes a licence fee to occupy a boat;””

BARONESS WHITAKER
LORD BOURNE OF ABERYSTWYTH

272 After Clause 136, insert the following new Clause —

“Review of the implications of Act on amenities available on mobile home sites

- (1) The Secretary of State must lay before Parliament a review of the implications of the provisions of this Act on amenities available to residents of mobile home sites.
- (2) The review under subsection (1) must include an assessment of the implications of not extending protections under this Act to residents of mobile homes.”

Member's explanatory statement

This amendment seeks to oblige the Secretary of State to examine and publish the implications of the lack of applicability of the protections under the Act to the residents of mobile homes.

BARONESS JANKE

273 After Clause 136, insert the following new Clause —

“Review of impact on racial and ethnic groups

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must review and publish a report on its impact on racial and ethnic groups.
- (2) The review must assess whether the Act has had any disproportionate or negative effects based on race or ethnicity, and must include consultation with relevant stakeholders.
- (3) The review may include an assessment of how the Act affects access to safe and affordable housing in the rental sector for those groups.
- (4) The Secretary of State must lay the report before Parliament.”

Member's explanatory statement

This amendment would require the Secretary of State to undertake a report on the impacts of the provisions of this Act on different racial and ethnic groups.

BARONESS HAYMAN

274 After Clause 136, insert the following new Clause —

“Funding energy efficiency improvements in rented homes

Within six months of the day on which this Act is passed, the Secretary of State must publish a roadmap for scaling up private finance initiatives to support the funding of energy efficiency improvements in privately rented homes.”

BARONESS JONES OF MOULSECOOMB

275★ After Clause 136, insert the following new Clause —

“Independent Living Rent Body: establishment and functions

- (1) The Secretary of State must establish a body to be known as the Independent Living Rent Body.
- (2) The “proposed rent” referred to in section 58(2) of this Act and section 14ZB(5) of the Housing Act 1988 must be calculated with reference to rules set by the Independent Living Rent Body.
- (3) In setting rules to be applied to the calculation of a proposed rent under section 58(2) the Independent Living Rent Body will have regard to —
 - (a) property type,
 - (b) size,
 - (c) condition,
 - (d) location,
 - (e) local incomes, and
 - (f) such other criteria as the Independent Rent Body sees fit.”

Member's explanatory statement

This amendment seeks to create a new independent body to assess the appropriate level of rent controls for different areas of the country according to the certain criteria.

Clause 140

BARONESS TAYLOR OF STEVENAGE

276 Clause 140, page 159, line 16, leave out “3(7),”

Member's explanatory statement

This amendment is consequential on the omission of clause 3.

BARONESS TAYLOR OF STEVENAGE

277 Clause 140, page 159, line 17, leave out “or 91(2)” and insert “, 91(2) or paragraph 30 of Schedule 6”

Member's explanatory statement

This amendment is consequential on the new Part 2 that would be inserted into Schedule 6 by the amendment in my name

Clause 145

LORD BIRD

278 Clause 145, page 162, line 36, leave out subsections (1) and (2) and insert—

- “(1) Subject to the exceptions set out in this section, this Act comes into force on the day on which it is passed.
- (2) Parts 2 and 3 of this Act come into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.”

Member's explanatory statement

This amendment and others in the name of Lord Bird would bring the majority of the Act into force on the day that it passes, with the exception of some areas where regulations or consultation are needed.

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

279 Clause 145, page 162, line 37, after “subsections” insert “(1A),”

LORD ETHERTON
THE EARL OF KINNOULL
LORD KEEN OF ELIE

280 Clause 145, page 162, line 38, at end insert—

- “(1A) None of the provisions of this Act, other than this subsection, come into force until the Secretary of State certifies that the average time for the court’s disposal of landlords possession actions in respect of residential property is as timely as in the year ending 23 March 2020.”

Member's explanatory statement

This amendment provides that, before the Act comes into force, the Secretary of State must certify that landlords possession actions in respect of residential property are disposed of by the courts in at least as short a time as in the year prior to the first lockdown.

LORD HACKING

281 Clause 145, page 163, line 9, leave out “two” and insert “six”

LORD BIRD

282 Clause 145, page 163, line 11, leave out paragraphs (a) and (b)

Member's explanatory statement

This amendment and others in the name of Lord Bird would bring the majority of the Act into force on the day that it passes, with the exception of some areas where regulations or consultation are needed.

BARONESS SCOTT OF BYBROOK

283 Clause 145, page 163, line 14, at end insert—

“(5A) Section 2 must not come into force until the assessment of the operation of the possession process in section (*Assessment of operation of possession process*) has been published and the Secretary of State is satisfied that the courts service has sufficient capacity.”

Member's explanatory statement

This amendment would stop the removal of Section 21 of the Housing Act 1988 until the Lord Chancellor has published their assessment of the operation of the possession process and the Secretary of State has been satisfied that the courts service has sufficient capacity.

BARONESS SCOTT OF BYBROOK

284 Clause 145, page 163, line 14, at end insert—

“(5A) Section 13 must not come into force until the Secretary of State has consulted with representatives of the insurance sector to ensure that appropriate insurance products are available for landlords wishing to let a property to a tenant who will be keeping a pet in their property during their tenancy.”

Member's explanatory statement

This amendment requires the Secretary of State to consult with insurers on the availability of insurance for landlords for damage caused by pets before this section comes into effect.

BARONESS SCOTT OF BYBROOK

285 Clause 145, page 163, line 14, at end insert—

“(5A) Section 13 must not come until force until the Secretary of State has consulted with representatives of the insurance sector to ensure that appropriate insurance products are available for tenants whose landlords have required insurance as a condition for consenting to the keeping of a pet.”

Member's explanatory statement

This amendment requires the Secretary of State to consult with insurers on the availability of insurance for tenants for damage caused by pets before this section comes into effect.

LORD BIRD

286 Clause 145, page 163, line 15, leave out subsections (6) to (8)

Member's explanatory statement

This amendment and others in the name of Lord Bird would bring the majority of the Act into force on the day that it passes, with the exception of some areas where regulations or consultation are needed.

LORD HACKING

287 Clause 145, page 163, line 21, after “day” insert “(which must be no later than twelve months from the day on which this Act is passed)”

LORD HACKING

288 Clause 145, page 163, line 27, at end insert –

“(9) No day may be appointed under subsection (8) which is less than –

(a) six months for new tenancies, or

(b) twelve months for existing tenancies,

after the day on which this Act is passed.”

Clause 146

LORD HACKING

289 Clause 146, page 163, line 30, after “date” insert “, being no less than twelve months from Royal Assent”

BARONESS TAYLOR OF STEVENAGE

290 Clause 146, page 163, line 34, leave out from “provision” to end of line 35

Member's explanatory statement

This amendment is consequential on the new Part 2 that would be inserted into Schedule 6 by the amendment in my name

LORD BIRD

291 Clause 146, page 163, line 38, leave out from “section 145” to end of line 2 on page 164

Member's explanatory statement

This amendment, in conjunction with another amendment in Lord Bird's name, would bring the majority of the Act into force on the day that it passes, with the exception of some areas where regulations or consultation are needed.

Schedule 6

BARONESS TAYLOR OF STEVENAGE

292 Schedule 6, page 233, line 14, leave out paragraph 3 and insert —

- “3 (1) This paragraph applies where —
- (a) before the commencement date —
 - (i) a valid notice under section 21 of the 1988 Act has been given, and
 - (ii) the claimant in possession proceedings has requested the court to issue the claim form for those proceedings, and
 - (b) immediately before the commencement date, possession proceedings have not begun or have not been concluded.
- (2) The notice under section 21 remains valid until possession proceedings are concluded.
- (3) The amendments made by Chapter 1 of Part 1 do not apply in relation to the tenancy until the notice under section 21 ceases to be valid by virtue of sub-paragraph (2) (and accordingly the tenancy remains an assured shorthold tenancy until then).
- (4) In relation to a tenancy to which sub-paragraph (3) applies, section 146(3) (except in its application to this paragraph) has effect as if the following were substituted for the definition of “commencement date” —
- ““commencement date” means the date on which, by virtue of paragraph 3 of Schedule 6, the amendments made by Chapter 1 of Part 1 apply in relation to a tenancy;”.
- (5) In this paragraph “possession proceedings” means proceedings for an order for possession under section 21 of the 1988 Act in reliance on a valid notice given under that section.
- 3A (1) This paragraph applies where, before the commencement date —
- (a) a valid notice under section 21 of the 1988 Act has been given, and
 - (b) the claimant in possession proceedings has not requested the court to issue the claim form for those proceedings.
- (2) Section 21 of the 1988 Act has effect as if the following were substituted for subsections (4D) and (4E) —
- “(4D) Subject to subsection (4E), proceedings for an order for possession under this section in relation to a dwelling-house in England may not be begun if the claimant in the proceedings requests the court to issue the claim for the proceedings after the end of the applicable period.
- (4DA) For that purpose the “applicable period” is —
- (a) the period of six months beginning with the date on which the notice was given under subsection (1) or (4), or

- (b) the period of three months beginning with the commencement date, if this three month period ends before the six month period mentioned in paragraph (a).
- (4E) Where—
 - (a) a notice under subsection (4) has been given in relation to a dwelling-house in England, and
 - (b) paragraph (b) of that subsection requires the date specified in the notice to be more than two months after the date the notice was given,

proceedings for an order for possession under this section may not be begun if the claimant in the proceedings requests the court to issue the claim for the proceedings after the end of the applicable period.
- (4EA) For that purpose the “applicable period” is—
 - (a) the period of four months beginning with the date specified in the notice, or
 - (b) the period of three months beginning with the commencement date, if this three month period ends before the four month period mentioned in paragraph (a).
- (4EB) In subsections (4DA) and (4EA) “commencement date” has the meaning given by section 146 of the Renters’ Rights Act 2025.”
- (3) The notice under section 21 remains valid—
 - (a) until the end of the applicable period, except where the claimant has requested the court to issue the claim form for possession proceedings before the end of that period;
 - (b) until possession proceedings are concluded, if the claimant has requested the court to issue the claim form for those proceedings before the end of the applicable period.
- (4) The amendments made by Chapter 1 of Part 1 do not apply in relation to the tenancy until the notice under section 21 ceases to be valid by virtue of sub-paragraph (3) (and accordingly the tenancy remains an assured shorthold tenancy until then).
- (5) In relation to a tenancy to which sub-paragraph (4) applies, section 146(3) (except in its application to this paragraph) has effect as if the following were substituted for the definition of “commencement date”—

““commencement date” means the date on which, by virtue of paragraph 3A of Schedule 6, the amendments made by Chapter 1 of Part 1 apply in relation to a tenancy;”.
- (6) In this paragraph—
 - “applicable period”, in relation to possession proceedings, has the same meaning that it has in relation to those proceedings in section 21 of the 1988 Act as modified by sub-paragraph (2);
 - “possession proceedings” means proceedings for an order for possession under section 21 of the 1988 Act in reliance on a valid notice given under that section.”

Member's explanatory statement

This restructures the provision in paragraph 3 and clarifies that the application of that provision depends on whether the landlord has requested the court to issue the claim form in possession proceedings (instead of depending on whether the court has actually issued the claim form).

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

293★ Schedule 6, page 234, line 35, leave out paragraph (b)

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

294★ Schedule 6, page 235, line 30, leave out “16I or”

Member's explanatory statement

This amendment is consequential on another amendment in the name of Baroness Scott of Bybrook.

BARONESS TAYLOR OF STEVENAGE

295 Schedule 6, page 237, line 21, leave out paragraph 15 and insert —

“15 (1) This paragraph applies where —

(a) before the commencement date —

(i) a valid notice under section 8 of the 1988 Act has been given, and

(ii) the claimant in possession proceedings has requested the court to issue the claim form for those proceedings, and

(b) immediately before the commencement date, possession proceedings have not begun or have not been concluded.

(2) The notice under section 8 remains valid until possession proceedings are concluded.

(3) The amendments made by Chapter 1 of Part 1 do not apply in relation to the tenancy until the notice under section 8 ceases to be valid by virtue of sub-paragraph (2) (and accordingly the tenancy remains an assured shorthold tenancy until then).

(4) In relation to a tenancy to which sub-paragraph (3) applies, section 146(3) (except in its application to this paragraph) has effect as if the following were substituted for the definition of “commencement date” —

““commencement date” means the date on which, by virtue of paragraph 15 of Schedule 6, the amendments made by Chapter 1 of Part 1 apply in relation to a tenancy;”.

- (5) In this paragraph “possession proceedings” means proceedings for an order for possession under section 8 of the 1988 Act in reliance on a valid notice given under that section.
- 15A(1) This paragraph applies where, before the commencement date –
- (a) a valid notice under section 8 of the 1988 Act has been given, and
 - (b) the claimant in possession proceedings has not requested the court to issue the claim form for those proceedings.
- (2) The notice under section 8 remains valid –
- (a) until the end of the applicable period, except where the claimant has requested the court to issue the claim form for possession proceedings before the end of that period;
 - (b) until possession proceedings are concluded, if the claimant has requested the court to issue the claim form for those proceedings before the end of the applicable period.
- (3) The amendments made by Chapter 1 of Part 1 do not apply in relation to the tenancy until the notice under section 8 ceases to be valid by virtue of sub-paragraph (2) (and accordingly the tenancy remains an assured shorthold tenancy until then).
- (4) In relation to a tenancy to which sub-paragraph (3) applies, section 146(3) (except in its application to this paragraph) has effect as if the following were substituted for the definition of “commencement date” –
- ““commencement date” means the date on which, by virtue of paragraph 15A of Schedule 6, the amendments made by Chapter 1 of Part 1 apply in relation to a tenancy;”.
- (5) In this paragraph –
- “applicable period”, in relation to possession proceedings –
- (a) the period of twelve months included in the notice under section 8 of the 1988 Act in accordance with subsection (3)(c) of that section, or
 - (b) the period of three months beginning with the commencement date, if this three month period ends before the twelve month period mentioned in paragraph (a);
- “possession proceedings” means proceedings for an order for possession under section 8 of the 1988 Act in reliance on a valid notice given under that section.”

Member's explanatory statement

This restructures the provision in paragraph 15 and clarifies that the application of that provision depends on whether the landlord has requested the court to issue the claim form in possession proceedings (instead of depending on whether the court has actually issued the claim form).

BARONESS TAYLOR OF STEVENAGE

296 Schedule 6, page 238, line 9, at end insert—

“PART 2

EXISTING INSTRUMENTS WHICH PERMIT OR REQUIRE LETTING ETC

Key definitions

- 17 (1) “Residential premises” are premises that consist of or include one or more dwelling-houses in England.
- (2) A lease of residential premises (whether or not in writing) is a “relevant pre-application instrument” if it was entered into—
 - (a) before the commencement date, or
 - (b) on or after that date under a contract entered into before that date.
- (3) A mortgage arrangement which relates to residential premises is a “relevant pre-application instrument” if it was entered into—
 - (a) before the commencement date, or
 - (b) on or after that date by the acceptance of an offer made before that date.
- (4) A contract of insurance which relates to residential premises is a “relevant pre-application instrument” if it was entered into—
 - (a) before the commencement date, or
 - (b) on or after that date by the acceptance of an offer made before that date.
- (5) A section 106 obligation is a “relevant pre-application instrument” if it was entered into before the commencement date.
- (6) In relation to a relevant pre-application instrument, “affected dwelling-house” means—
 - (a) if the relevant pre-application instrument is a lease, the dwelling-house, or each dwelling-house, let by the lease;
 - (b) if the relevant pre-application instrument is a mortgage arrangement, the dwelling-house, or each dwelling-house, to which the mortgage arrangement relates;
 - (c) if the relevant pre-application instrument is a contract of insurance, the dwelling-house, or each dwelling-house, to which the contract of insurance relates;
 - (d) if the relevant pre-application instrument is a section 106 obligation, the dwelling-house, or each dwelling-house, to which the section 106 obligation relates.
- (7) In relation to times before the commencement date, an assured tenancy is a “relevant” assured tenancy if—
 - (a) it is not an assured shorthold tenancy,
 - (b) it is a periodic tenancy, and
 - (c) each period of the tenancy is—
 - (i) a period of 28 days or shorter, or

- (ii) a monthly period,
including where there are different periods at different times, each of which falls within sub-paragraph (i) or (ii).
- (8) In relation to times on or after the commencement date, an assured tenancy is a “relevant” assured tenancy if –
 - (a) it is a periodic tenancy, and
 - (b) each period of the tenancy is –
 - (i) a period of 28 days or shorter, or
 - (ii) a monthly period,
including where there are different periods at different times, each of which falls within sub-paragraph (i) or (ii).

Saving for existing powers to vary

- 18 Nothing in this Part of this Schedule prevents a relevant pre-application instrument from being varied or modified by the parties to it (and accordingly paragraphs 19 to 24 and paragraph 26 are subject to any such variation or modification).

Relevant pre-application instruments that permit letting on tenancies that are no longer possible

- 19 (1) This paragraph applies to a relevant pre-application instrument if either or both of conditions A and B are met in relation to the affected dwelling-house.
- (2) *Condition A*: immediately before the commencement date, the relevant pre-application instrument –
- (a) permitted the affected dwelling-house to be let under an assured shorthold tenancy, but
 - (b) did not permit the affected dwelling-house to be let under a relevant assured tenancy.
- (3) *Condition B*: immediately before the commencement date, the relevant pre-application instrument –
- (a) permitted the affected dwelling-house to be let under an assured tenancy (other than an assured shorthold tenancy), but
 - (b) did not permit the affected dwelling-house to be let under a relevant assured tenancy.
- (4) The relevant pre-application instrument has effect on and after the commencement date as if it permits the affected dwelling-house to be let under a relevant assured tenancy.
- (5) That power to let under a relevant assured tenancy is exercisable in the same circumstances, and on the same terms, as the pre-commencement power to let was exercisable immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.
- (6) In this paragraph “pre-commencement power to let” means –
- (a) if only condition A is met, the power to let mentioned in sub-paragraph (2)(a);

- (b) if only condition B is met, the power to let mentioned in sub-paragraph (3)(a);
- (c) if conditions A and B are both met, the power to let mentioned in sub-paragraph (3)(a).

Relevant pre-application instruments that permit letting on tenancies that continue to be possible

- 20 (1) This paragraph applies to a relevant pre-application instrument if, immediately before the commencement date, the relevant pre-application instrument permitted the affected dwelling-house to be let under a relevant assured tenancy.
- (2) That power to let under a relevant assured tenancy continues to be exercisable in the same circumstances, and on the same terms, as it was exercisable immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.

Relevant pre-application instruments that require letting on tenancies that are no longer possible

- 21 (1) This paragraph applies to a relevant pre-application instrument if either or both of conditions A and B are met.
- (2) *Condition A*: immediately before the commencement date –
- (a) the relevant pre-application instrument required the affected dwelling-house to be let, and
 - (b) that requirement –
 - (i) would have been complied with by letting the affected dwelling-house under an assured shorthold tenancy, but
 - (ii) would not have been complied with by letting the affected dwelling-house under a relevant assured tenancy.
- (3) *Condition B*: immediately before the commencement date –
- (a) the relevant pre-application instrument required the affected dwelling-house to be let, and
 - (b) that requirement –
 - (i) would have been complied with by letting the affected dwelling-house under an assured tenancy (other than an assured shorthold tenancy), but
 - (ii) would not have been complied with by letting the affected dwelling-house under a relevant assured tenancy.
- (4) The relevant pre-application instrument has effect on and after the commencement date as if it requires the affected dwelling-house to be let under a relevant assured tenancy.
- (5) That requirement to let under a relevant assured tenancy must be complied with in the same circumstances, and on the same terms, as the pre-commencement requirement had to be complied with immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.
- (6) In this paragraph “pre-commencement requirement” means –

- (a) if only condition A is met, the requirement to let mentioned in sub-paragraph (2)(b)(i);
- (b) if only condition B is met, the requirement to let mentioned in sub-paragraph (3)(b)(i);
- (c) if conditions A and B are both met, the requirement to let mentioned in sub-paragraph (3)(b)(i).

Relevant pre-application instruments that require letting on tenancies that continue to be possible

- 22 (1) This paragraph applies to a relevant pre-application instrument if, immediately before the commencement date –
- (a) the relevant pre-application instrument required the affected dwelling-house to be let, and
 - (b) that requirement would have been complied with by letting the affected dwelling-house under a relevant assured tenancy.
- (2) That requirement to let under a relevant assured tenancy must still be complied with in the same circumstances, and on the same terms, as it had to be complied with immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.

Pre-commencement s.106 obligations with provision relating to letting on terms that are no longer possible

- 23 (1) This paragraph applies to a pre-application section 106 obligation if, immediately before the commencement date, it prevented or restricted the taking of particular action unless or until the affected dwelling-house was let under a superseded tenancy.
- (2) On and after the commencement date, the pre-application section 106 obligation has effect as if it prevents or restricts the taking of the particular action unless or until the affected dwelling-house is let under a relevant assured tenancy.
- (3) Any such letting under a relevant assured tenancy is to be made in the same circumstances, and on the same terms, as a letting under a superseded tenancy immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.

Pre-commencement s.106 obligations with provision relating to letting on terms that continue to be possible

- 24 (1) This paragraph applies to a pre-application section 106 obligation if, immediately before the commencement date –
- (a) provision of the pre-application section 106 obligation prevented or restricted the taking of particular action unless or until the affected dwelling-house was let, and
 - (b) that provision would have ceased to prevent or restrict that action if the affected dwelling-house was let under a relevant assured tenancy.
- (2) Such a letting under a relevant assured tenancy must still be made in the same circumstances, and on the same terms, as a letting under a relevant assured

tenancy immediately before the commencement date, except so far as that would be inconsistent with any provision made by or under this Act.

Requirements under the Community Infrastructure Regulations 2010

- 25 (1) This paragraph applies where –
- (a) a planning permission is granted before the commencement date on a relevant determination,
 - (b) the planning permission was granted on the basis of a pre-application section 106 obligation, and
 - (c) at the time the planning permission was granted, the pre-application section 106 obligation met the requirements under regulation 122(2) of the Community Infrastructure Regulations 2010.
- (2) On and after the commencement date any effect of this Part is to be disregarded when considering whether the pre-application section 106 obligation continues to meet those requirements.
- (3) In this paragraph “relevant determination” has the meaning given by regulation 122(3) of the Community Infrastructure Regulations 2010.

Leases which cannot be returned at end of term free of sub-lease

- 26 (1) This paragraph applies to a lease if –
- (a) the lease was entered into before the commencement date or under a contract entered into before that date,
 - (b) the lease is –
 - (i) periodic, or
 - (ii) a fixed term lease of a term certain not exceeding 21 years,
 - (c) the lease is modified by paragraph 19 or 21,
 - (d) a dwelling-house is sub-let under the lease on a tenancy (entered into before or after the commencement date) which is (or becomes on or after that date, by virtue of this Act or otherwise) a relevant assured tenancy, and
 - (e) the tenancy was entered into in accordance with the terms of the lease as they stood when the tenancy was entered into (or, if it was not, the breach has been waived by the landlord).
- (2) The lease has effect as if it provided that a failure by the lessee at the end of the lease to return the premises to the landlord free from the relevant assured tenancy does not constitute a breach of the lease.

Application to agreements etc relating to leases, mortgage arrangements or contracts of insurance

- 27 In this Part of this Schedule references to a lease, mortgage arrangement or contract of insurance, and references to the terms of a lease, mortgage arrangement or contract of insurance, include references to –
- (a) the terms of any agreement relating to the lease, mortgage arrangement, or contract of insurance, and

- (b) any document or communication from a party to the lease, mortgage arrangement, or contract of insurance, which gives or refuses consent for letting in relation to a category or description of tenancy.

Application to sub-letting

- 28 (1) In a case where the relevant pre-application instrument is a lease, a reference in this Part of this Schedule to a letting of the affected dwelling-house is a reference to a sub-letting of those premises under that lease or any inferior lease.
- (2) In the case of any other relevant pre-application instrument, a reference in this Part of this Schedule to a letting of the affected dwelling-house includes a reference to a sub-letting of those premises under any lease or inferior lease of those premises.

Application in certain circumstances

- 29 (1) In a case where a relevant pre-application instrument –
 - (a) gave, or gives, a discretion whether to let an affected dwelling-house, but
 - (b) required, or requires, the affected dwelling-house to be let under a tenancy of a particular description if it is let,
 the instrument is to be regarded as permitting (and not as requiring) the dwelling-house to be let under that description of tenancy (and this Part of this Schedule applies accordingly).
- (2) The following provisions of this paragraph apply if there are two or more affected dwelling-houses in relation to the relevant pre-application instrument.
- (3) This Part of this Schedule applies separately in relation to each of those dwelling-houses.
- (4) But, if any term of the instrument is such that it gave, or gives, a discretion as to which particular dwelling-house or dwelling-houses the term applies to, this Schedule does not affect that discretion (but the term otherwise has effect subject to this Part of this Schedule).

Power to disapply or modify this Part

- 30 (1) The Secretary of State may by regulations disapply or modify the effect of this Part of this Schedule in relation to relevant pre-application instruments of a specified description.
- (2) Where the Secretary of State makes regulations under this paragraph disapplying the effect of this Part, the fact that this Schedule has previously applied in relation to a relevant pre-application instrument does not prevent the exercise of the powers in section 148(6)(b) in relation to the relevant pre-application instrument.

Meaning of “permitting” letting

- 31 A relevant pre-application instrument permitted, or permits, the affected dwelling-house to be let under a tenancy of a particular description if letting the affected dwelling-house under a tenancy of that description would not have breached the terms of the relevant pre-application instrument.

Interpretation

- 32 In this Part of this Schedule –
- “affected dwelling-house” has the meaning given in paragraph 17(6);
 - “assured shorthold tenancy” is to be read in accordance with Part 1 of the 1988 Act as it had effect immediately before the commencement date;
 - “assured tenancy”, in relation to a time before the commencement date, is to be read in accordance with Part 1 of the 1988 Act as it had effect at that time;
 - “the commencement date” has the meaning given by section 146(3);
 - “contract of insurance” has the meaning given by article 3(1) of the Financial Services (Regulated Activities) Order 2001;
 - “dwelling-house” has the same meaning as in Part 1 of the 1988 Act – see section 45 of that Act);
 - “mortgage arrangement which relates to residential premises” or “mortgage arrangement” means an arrangement under which –
 - (a) credit is or continues to be provided to a person, and
 - (b) the obligation of the person to repay is secured by a legal or equitable mortgage or other charge on the residential premises;
 - “pre-application section 106 obligation” means a section 106 obligation that was entered into before the commencement date;
 - “relevant assured tenancy” has the meaning given in paragraph 17(7) and (8);
 - “relevant pre-application instrument” has the meaning given in paragraph 17(2) to (5);
 - “residential premises” has the meaning given in paragraph 17(1);
 - “section 106 obligation” means a planning obligation under section 106 of the Town and Country Planning Act 1990;
 - “superseded tenancy” means –
 - (a) an assured shorthold tenancy, and
 - (b) an assured tenancy (other than an assured shorthold tenancy) that is not a relevant assured tenancy.”

Member's explanatory statement

This makes transitional provision about existing “relevant pre-application instruments” whose terms permit letting or sub-letting under leases of kinds which are abolished by the Bill. It replaces clause 3 (about leases) and then also deals with mortgages, insurance contracts and obligations under section 106 of Town and Country Planning Act 1990.

Clause 148

BARONESS TAYLOR OF STEVENAGE

297 Clause 148, page 165, line 2, leave out from “provision” to “in” in line 3

Member's explanatory statement

This ensures that regulations making transitional and saving provision can make provision in substitution for as well as in addition to provision made by the Act.

BARONESS TAYLOR OF STEVENAGE

298 Clause 148, page 165, line 12, at end insert—

“(5A) The power to make regulations under subsection (3) includes power to amend or repeal any provision made by Part 2 of Schedule 6 to this Act.”

Member's explanatory statement

This enables regulations making transitional or saving provision to make such provision by amending or repealing any provision in Part 2 of Schedule 6 to the Act.

BARONESS TAYLOR OF STEVENAGE

299 Clause 148, page 165, line 25, leave out “made before the commencement date” and insert “entered into—

- (i) before the commencement date, or
- (ii) on or after that date either under a contract entered into before that date or by the acceptance of an offer made before that date;”

Member's explanatory statement

This brings the wording in clause 148(7)(a) into line with the wording used in the new Part 2 that would be inserted into Schedule 6 by the amendment in my name.

BARONESS TAYLOR OF STEVENAGE

300 Clause 148, page 166, line 3, leave out “section 3” and insert “Part 2 of Schedule 6”

Member's explanatory statement

This amendment is consequential on the new Part 2 that would be inserted into Schedule 6 by the amendment in my name.

BARONESS TAYLOR OF STEVENAGE

301 Clause 148, page 166, line 17, leave out from “containing” to “may” on line 18 and insert “(whether alone or with other provision) regulations under subsection (3) that—

- (a) fall within subsection (6)(b), or
- (b) amend or repeal provision made by Part 2 of Schedule 6 to this Act,”

Member's explanatory statement

This provides that regulations made under section 148(3) which make transitional or saving provision by amending or repealing provision in Part 2 of Schedule 6 to the Act are subject to the affirmative procedure.

Renters' Rights Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

16 April 2025

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