

Renters' Rights Bill

SIXTH 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.**

After Clause 63

LORD CASHMAN
BARONESS MILLER OF CHILTHORNE DOMER

206A After Clause 63, insert the following new Clause –

“Residential boat fees to be classified as rent

The rights set out in Part 1 of this Act extend to any individual –

- (a) for whom a boat is their only home, and
- (b) who is liable to pay a boat licence fee, boat registration fee, boat rental fee or mooring charges.”

BARONESS WHITAKER
LORD BOURNE OF ABERYSTWYTH

206B After Clause 63, insert the following new Clause –

“Payments in respect of residents of mobile homes living on sites to be classified as rent

The rights set out in Part 1 of this Act extend to any individual –

- (a) for whom a mobile home is their only home, and
- (b) who is liable to pay a fee in respect of the site on which the mobile home stands.”

Member's explanatory statement

This amendment seeks to ensure that the rights in Part 1 of the Bill extend to individuals for whom a mobile home is their only home and who pay a site fee.

Clause 64

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

206C Clause 64, page 98, line 22, leave out subsection (4)

Member's explanatory statement

This amendment probes why definitions which determine who is subject to housing laws, rights, and responsibilities can be amended by regulations.

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.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

210A Clause 65, page 100, line 15, leave out paragraph (c)

Member's explanatory statement

This amendment probes the Government's proposed duration of the membership period for the redress scheme.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

210B Clause 65, page 101, line 16, at end insert —

“(10) Draft regulations under this section must be published before the end of the period of six months beginning on the day on which this Act is passed.”

Member's explanatory statement

This amendment would require the Secretary of State to publish draft regulations establishing a landlord redress scheme within six months of the passage of the Bill.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

The above named Lords give notice of their intention to oppose the Question that Clause 65 stand part of the Bill.

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 SCOTT OF BYBROOK
LORD JAMIESON

- 212A** Clause 66, page 101, line 24, leave out paragraph (a)

Member's explanatory statement

This amendment probes the appointment process of an independent individual, who will be in charge of investigating complaints under the redress scheme.

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

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),
 - (x) details of tenancy deposit certificates required under Part 6 of the Housing Act 2004, and
 - (xi) 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

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

224A Clause 77, page 110, line 29, leave out paragraph (b)

Member's explanatory statement

This amendment seeks to clarify the type of individual the Secretary of State would arrange to operate the database and the process by which they will be appointed.

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.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

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

“(3A) The Secretary of State may not arrange for a person to be the database operator unless that person has attended a pre-appointment hearing of a relevant committee of the House of Commons.

(3B) For the purposes of this section, a “relevant committee of the House of Commons” is a committee of the House of Commons whose remit includes matters specifically related to the private rented sector.”

Member's explanatory statement

This amendment seeks to probe the Government's willingness to allow Parliamentary scrutiny of the appointment of the database operator.

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 79

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228A Clause 79, page 111, line 35, leave out “may” and insert “must”

Member's explanatory statement

This amendment would require the Secretary of State to make regulations to ensure that database entries are regularly updated and maintained.

Clause 80

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228B Clause 80, page 112, line 7, leave out “may” and insert “must”

Member's explanatory statement

This amendment would require the Secretary of State to make regulations to make provision about the circumstances in which an active landlord or dwelling entry in the database is to become an inactive entry.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228C Clause 80, page 112, line 19, leave out subsection (3)

Member's explanatory statement

This amendment seeks to probe the circumstances in which a landlord would be charged a fee under the regulations made under this clause.

Clause 81

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228D Clause 81, page 112, line 37, at end insert—

- “(3) Within 18 months of day on which the first regulations made under subsection (1) come into force, the Secretary of State must consult on their efficacy and adequacy.
- (4) In undertaking a consultation under subsection (3) the Secretary of State must consult—
 - (a) landlords,
 - (b) tenants, and
 - (c) any other persons whom the Secretary of State deems appropriate.”

Member's explanatory statement

This amendment seeks to establish a consultation on the efficacy and adequacy of the first regulations made under this section into which landlords, tenants and others may feed in their views.

Clause 82

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228E Clause 82, page 113, line 15, leave out paragraph (b)

Member's explanatory statement

This amendment would prevent the costs of enforcement action against landlords who are in breach of the requirements of this chapter being charged to landlords who have complied with those requirements.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228F Clause 82, page 113, line 17, leave out paragraph (d)

Member's explanatory statement

This amendment would limit the “relevant costs” under this section to costs associated with the Private Rented Sector Database.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228G Clause 82, page 113, line 32, at end insert –

“(8A) The Secretary of State must ensure landlords with an active landlord or dwelling entry in the database are contacted to inform them of any changes to the fees imposed by regulations under this section, section 78 or section 80, two months before the change in those fees come into effect.”

Member's explanatory statement

This amendment seeks to probe the Government's plans to communicate changes in the fees imposed by regulations under this clause to landlords.

Clause 83

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228H Clause 83, page 114, line 34, leave out “may” and insert “must”

Member's explanatory statement

This amendment seeks to probe why the Secretary of State would not be compelled to specify cases under subsection (4).

Clause 85

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

228I Clause 85, page 117, line 11, after “person” insert “in writing”

Member's explanatory statement

This amendment seeks to probe how the government will communicate the unique identifier to non-digital users.

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

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

230A Clause 86, page 117, line 23, at end insert —

“(aa) ensure that facilities are available for tenants who have disabilities which mean they cannot use a computer or other electronic device to access landlord and dwelling entries in the database which relate to their tenancy,”

Member's explanatory statement

This amendment would ensure tenants with disabilities are provided with appropriate facilities by the database operator so they can access information relating to their tenancy.

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 SCOTT OF BYBROOK
LORD JAMIESON

237A Clause 91, page 121, line 10, leave out subsection (2)

Member's explanatory statement

This amendment removes the Secretary of State's power to amend section 7 of the Housing Act 1988 by regulations.

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

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

THE EARL OF KINNOULL
LORD KEEN OF ELIE
LORD HUNT OF WIRRAL

- 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.

After Clause 93

BARONESS THORNHILL

- 243A** After Clause 93, insert the new following Clause —

“Signposting to resources

The Secretary of State may by regulations specify resources that the database may include to assist tenants understand and enforce their rights and access redress.”

Member's explanatory statement

This amendment will allow the Secretary of State to link to useful resources in the PRS database, such as the 'My Housing Issue' Gateway.

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 KENNEDY OF CRADLEY

244A Clause 99, page 126, line 31, at end insert —

- “(4A) In section 43 (making of the rent repayment order) —
 - (a) in subsection (1), omit “, beyond reasonable doubt,”
 - (b) after subsection (3), insert —
 - “(4) Where the application for a rent repayment order relates to an offence under section 1(2), (3) or (3A) of the Protection from Eviction Act 1977, the First-tier Tribunal must be satisfied, on the balance of probabilities, that the offence has been committed.
 - (5) Where the application for a rent repayment order relates to any other offence to which this Chapter applies, the First-tier Tribunal must be satisfied, beyond reasonable doubt, that the offence has been committed.”

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 –

“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.

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
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
THE LORD BISHOP OF MANCHESTER

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.

BARONESS COFFEY

252A★ Clause 101, page 130, line 26, at end insert –

- “(1A) A premises is only a qualifying premises for the purposes of section 2A(2)(c) (Power to specify a requirement to keep premises at a suitable temperature) if it –
- (a) is in an urban area, as defined by 2021 Census Rural Urban Classification,
 - (b) is a listed building, or
 - (c) was wholly or mainly built before 1900.”

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 103BARONESS 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 113LORD 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

BARONESS MILLER OF CHILTHORNE DOMER

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
BARONESS FREEMAN OF STEVENTON

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
BARONESS MILLER OF CHILTHORNE DOMER

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
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

272 [Withdrawn]

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
BARONESS PENN

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.

BARONESS WHITAKER
LORD BOURNE OF ABERYSTWYTH

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

“Review of the implications of this Act on amenities available on Gypsy and Traveller 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 Gypsy and Traveller sites.
- (2) The review under subsection (1) must include an assessment of the implications of not extending protections under this Act to residents of Gypsy and Traveller sites.”

Member's explanatory statement

This amendment requires the Secretary of State to examine and report on the implications of this Act on amenities available to residents at Gypsy and Traveller sites; and the implications of not extending protections under this Act to residents of Gypsy and Traveller sites.

BARONESS COFFEY

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

“Designated rural areas: revocation

- (1) Within six months of the day on which this Act is passed, the Secretary of State must, by regulation, revoke the designation of parishes as rural areas for the purposes of Right to Buy if they meet the condition in subsection (1).
- (2) The condition is that the population of the parish exceeds 3,000 people, according to the 2021 United Kingdom census.”

Member's explanatory statement

This amendment seeks to ensure that the Secretary of State updates the designation of rural areas for the purposes of Right to Buy, so that parishes which now have a larger population (such as Colden Common or Rendlesham, in Suffolk) are no longer designated.

BARONESS COFFEY

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

“Right to mobility aids

- (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, decline a reasonable request from a tenant to install mobility aids in the dwelling.
- (2) The provision in subsection (1) applies only where the tenant is able to arrange for the payment and installation of the aid themselves.
- (3) For the purpose of this section, a “mobility aid” is a device or piece of equipment installed in the property to assist in the occupier’s mobility around the property.”

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.

THE EARL OF KINNOULL
LORD KEEN OF ELIE
LORD WOLFSON OF TREDEGAR

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

THE EARL OF KINNOULL
LORD KEEN OF ELIE
LORD WOLFSON OF TREDEGAR

- 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.

Section 2: claim form for section 21 possession proceedings not already requested

- 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.

Claim form for section 8 possession proceedings not already requested

- 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

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

13 May 2025

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