Birmingham City Council

Report to Licensing and Public Protection Committee

12th March 2025

Title:	**THE RENTERS RIGHTS BILL UPDATE**
Lead Member:	Councillor Sam Forsyth, Chair – Licensing and Public Protection Committee
Relevant Overview and Scrutiny Committee:	Not Applicable.
Has this report been shared with the relevant Overview and Scrutiny Committee Chair?	Not Applicable.
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Authorised by:	Sajeela Naseer, Director of Regulation and Enforcement City Operations
Is this a Key Decision?	No Forward Plan Reference: Not Applicable
Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:	Not Applicable
Is this a Late Report?	No
Reason(s) why Late and confirm who has authorised it to be considered:	Not Applicable
Is this decision eligible for 'call in?'	Not Applicable
If 'call-in' has been dis-applied, please provide reason(s) and confirm who has authorised:	Not Applicable
Wards:	All

Does this report contain exempt or confidential information?	No
Has this decision been included on the Notification of Intention to consider Matters in Private?	Not Applicable
Reasons why not included on the Notification and confirm who has authorised it to be considered:	Not Applicable

1 EXECUTIVE SUMMARY

1.1 This report is to update Licensing and Public Protection Committee (LPPC) with the progress through Parliament of The Renters Rights Bill (RRB) and provide an overview of the content.

1.2 The Bill is currently progressing through The House of Lords (at the time of drafting the report) and is likely to receive Royal Assent in early Spring 2025, with the majority of the measures enacted in October 2025.

1.3 The Bill will have implications for service delivery in the Private Rented Sector (PRS) and for other services across the Council, such as Housing Solutions & Support. The PRS team has coordinated a "task and finish" style approach to planning training sessions for staff, to consider service delivery implications, to consider communications to residents and to explore potential opportunities including securing more accommodation for those at risk of homelessness.

2 COMMISSIONERS' REVIEW

2.1 This reports does not require Commissioners review.

3 RECOMMENDATIONS

That the Committee:

3.1 Notes the content of the report.

4 KEY INFORMATION

4.1 The previous government had drafted the Renters (Reform) Bill to introduce changes to "bring in a better deal for renters." It was introducing proposals to abolish Section 21 no fault evictions and reform the grounds on which landlords could seek possession. This Bill ran out of time before the July 2024 election where there was a change of government.

4.2 However, because a lot of work had already gone into the proposals for the Renters (Rights) Bill with a common consensus on content across Parliament, the new government redrafted the proposals and introduced The Renters' Rights Bill, with which it promised to "overhaul the private rented sector, transforming rights for the 11 million private tenants in England" by:

4.3 **Abolishing Section 21 'no fault evictions',** removing the threat of arbitrary evictions and increasing tenant security and stability. New clear and expanded possession grounds have been proposed so landlords can still reclaim their properties when they need to.

4.4 **Strengthening tenants' rights and protections,** for example by empowering tenants to challenge rent increases designed to force them out by the backdoor and to introduce new laws to end the practice of rental bidding wars by landlords and letting agents.

4.5 **Giving tenants the right to request a pet**, which landlords must consider and cannot unreasonably refuse. Landlords will be able to request insurance to cover potential damage from pets if needed (with amendments to the Tenant Fees Act 2019).

4.6 **Applying a Decent Homes Standard** to the private rented sector to ensure homes are safe, secure and hazard free and tackling the blight of poor-quality homes. There will be further consultation around what this looks like in practice when the Bill is enacted, and it is expected that this will come in a second phase of enactment in 2026.

4.7 **Applying 'Awaab's Law' to the sector**, setting clear legal expectations about the timeframes within which landlords in the private rented sector must make homes safe where they contain serious hazards especially relating to damp and mould; again, the enactment of this measure is likely to be in phase 2 in 2026.

4.8 **Creating a digital private rented sector database** to bring together key information for landlords, tenants, and councils. Tenants will be able to access information to inform choices when entering new tenancies. Landlords will be able to quickly understand their obligations and demonstrate compliance, providing certainty for tenants and landlords alike. Councils will be able to use the database to target enforcement where it is needed most.

4.9 **Supporting quicker, cheaper resolution when there are disputes, preventing them escalating to costly court proceedings**. A new ombudsman service for the private rented sector will be commissioned that will provide fair, impartial and binding resolution, to both landlords and tenants and reducing the need to go to court. It is reported that the fees from the database will fund the Ombudsman service, however this is still under discussion. Again, the Ombudsman service will be in phase 2 enactment in 2026.

4.10 **Making it illegal for landlords to discriminate against tenants in receipt of benefits or with children** when choosing to let their property, so no family is discriminated against and denied a home when they need it.

4.11 **Strengthening local councils' enforcement powers**. New investigatory powers will make it easier for councils to identify and fine unscrupulous landlords and drive bad actors out of the sector. This will require a further review of civil penalty and enforcement policies and officer delegations and processes ahead of enactment.

4.12 The Council continues to work through the details as they are released and amended. As mentioned, PRS are leading the Council's overall response to the new legislation, as most new duties and powers will sit with this service area. However, there will be both opportunities and consequences for other service areas, Housing Support for example, so we have established a task and finish style approach to ensuring that we can continue to provide the best outcomes for the staff working with the new regulations and for our residents who receive the services.

4.13 The Bill should be enacted “early Springtime,” and it is likely that there will be a very short or immediate enactment of some measures such as the abolition of Section 21 no fault evictions (currently it is understood that the majority of the new provisions will come into force in October 2025).

4.14 The remainder of the measures should follow in 2026. It is expected that the guidance will join up with the Supported Housing (Regulatory Oversight) Act 2023 which will see a licensing regime implemented across all supported exempt accommodation.

4.15 The government has indicated that there will be “secondary legislation and guidance” to further support the enforcement activities in the PRS which will include the duty to investigate all allegations of harassment and illegal eviction, and increased offences subject to civil penalties, and to increase the civil penalty ceiling for each offence to £40,000.

5 RISK MANAGEMENT

5.1 The Renters Rights Bill proposes new duties on councils to investigate all cases of harassment and take a tougher approach to illegal eviction. PRS has a team of 7.6 Private Tenancy Officers whose role has been to assist tenants and to prevent homelessness by challenging non legal notices to quit and unlawful rent increases, and deal with cases of harassment, threatened and illegal eviction.

5.2 It is difficult at this stage to quantify the additional duties in terms of officer numbers, as we anticipate that some of the existing functions will reduce whilst others such as investigating illegal evictions will increase following the removal of Section 21 evictions. However, we do envisage that additional officers will be required to deal with the volume of workload generated by the new duties. It is vital to maintain the necessary level of expertise to respond to the new duties as they are implemented.

5.3 Additional duties will be placed on all existing PRS enforcement officers which will add pressures to an already overstretched resource; a situation which is acknowledged by government both regionally and nationally. Whilst these duties are expected in the second wave of legislation including the decent homes standard and Awaabs Law, we expect that the service will require up to 4 additional officers to deal with these. There is a national shortage of Environmental Health Officers who specialise in private rented housing enforcement. Workforce Planning is already looking at how the council responds to these risks.

5.4 The West Midlands Combined Authority are also working on a regional Private Rented Sector Programme looking specifically at recruitment and capacity building for enforcement, awareness raising for tenants and landlords, and communications around the new legislation in general.

6 CONSULTATION

6.1 Regulation and Enforcement is not currently required to carry out any consultation with regards to this area, but it remains to be seen if the legislation includes any such duty.

7 MEMBER ENGAGEMENT

7.1	Ward Councillors	Not Applicable
7.2	Overview and Scrutiny	Not Applicable
7.3	Other	Not Applicable

8 IMPACT AND IMPLICATIONS

Finance and Best Value

8.1 The current work is general funded however the new duties placed on PRS may be further supported by a S31 New Burdens Grant from central government. At the time of writing the figure of £20 million has been suggested however this will be distributed across all councils in England.

8.2 The new funding will be allocated for preparatory costs in 2025/26 with a further 3-year review to 2029, with the expectation that it will be mainstreamed thereafter.

8.3 The WMCA are looking at funding some PRS enforcement activity through the single settlement agreement, however, there have been no indications as to what that would look like for Birmingham or the rest of the region to date. It is likely that this funding will tie in with other initiatives like retrofitting property and energy improvement measures. Discussions are in an early stage.

Legal

8.4 The government will enact the Bill and provide the relevant statutory and secondary guidance to enable local authorities to meet their statutory duties. These will inevitably impact on the council's legal services which will need to be resourced to deal with the additional duties and accompanying workloads.

Equalities

8.5 There are no equalities implications arising from the recommendations in this report.

Procurement

8.6 There are no procurement implications arising from this report.

People Services

8.7 The service will work closely with Human Resources to identify and plan recruitment of suitably qualified officers in advance of the legislation been enacted and in preparation for the need to recruit.

Climate Change, Nature and Net Zero

8.8 There are no climate change, nature and net zero carbon implications arising from the recommendations in this report.

Corporate Parenting

8.9 There are no implications or opportunities in relation to the Corporate Parenting responsibility arising from the recommendations in this report.

Other

8.10 There are no other implications arising from the recommendations in this report.

8 APPENDICES

9.1 There are no appendices.

10 BACKGROUND PAPERS

10.1 The current version of the Renters Rights Bill and its progress through Parliament can be viewed here: Renters' Rights Bill - Parliamentary Bills - UK Parliament