



# The Renters' Rights Act:


*Do's, don'ts, red lines and heavy fines*

Alistair Cantor and Luke Decker

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## What are we covering?

1. Abolition of fixed term tenancies
  2. Abolition of s21 and new possession grounds
  3. Transitional arrangements and social landlords
  4. Written statements
  5. The landlord legislation
  6. Enforcement: investigatory and sanctioning powers
- 



**01**

# Abolition of Fixed Term Tenancies

**RRA 2025, s. 1 — new HA 1988, s. 4A**

# The Old Regime

## Fixed Term AST

- Typically 6 or 12 months
- Security for landlord: guaranteed rent
- Security for tenant: limited grounds during term
- Becomes statutory periodic tenancy on expiry

## Section 21 — "No-Fault" Eviction

- 2 months' notice after fixed term ends
- No need to prove a ground for possession
- The quid pro quo for landlords granting ASTs
- Defining feature of the PRS since 1988

# New Section 4A: All Tenancies Periodic

**RRA 2025, s. 4A(1):** Terms of an assured tenancy are of **no effect** so far as they provide for the tenancy to be a fixed term tenancy.

- Every assured tenancy is periodic – parties cannot contract out
- Maximum rent period: one month (s. 4A(3)); longer periods are void
- Monthly rent equivalent calculated by formula:  $R \times 30 \div D$  (s. 4A(6))
- Parties retain freedom to agree other terms (s. 4A(7)) – just not a fixed term
- Tenant may give 2 months' notice at any time; no minimum tenancy period (s. 20)
- Fixed term + statutory periodic successor treated as single tenancy (s.147)



# Section 21 Abolished & New Possession Grounds

## RRA 2025, ss. 2–3 and Sch. 1



# The End of Section 21

**RRA 2025, s. 2** omits section 6A and the whole of **Chapter 2 of Part 1 of the Housing Act 1988** – including section 21.

- No such thing as an assured shorthold tenancy from the commencement date
- Only assured periodic tenancies exist
- The only route to possession is HA 1988, s. 8
- Every eviction requires a statutory ground, notice, and court order
- Grounds restructured by RRA 2025, s. 3 and Sch. 1

# Grounds for Possession (Page 1)

Gd	M/D	Status	Old Gd	Description	Notice	Key Change
1	M	Amended	Old Gd 1	Landlord or family member requires property as home	4 months	Expanded to parents, siblings, children, grandparents, grandchildren, partner's children; prior notice removed; 1-year qualifying period added
1A	M	NEW	—	Landlord intends to sell freehold or leasehold interest	4 months	Entirely new ground — replaces practical utility of s. 21 for sale; 1-year qualifying period; not available to social landlords
1B	M	NEW	—	Rent-to-buy agreement period expired	4 months	Entirely new — registered provider of social housing only; rent-to-buy offer requirements must be met
2	M	Amended	Old Gd 2	Mortgagee exercising power of sale	4 months	Requirement that mortgage pre-dates tenancy removed
2ZA	M	NEW	—	Superior lease ending (specified landlord types)	4 months	New — addresses 'sandwich landlord' problem; limited to RPs, agricultural tenants, supported accommodation, LA companies
2ZB	M	NEW	—	Superior lease (long fixed term >21 years) ending	4 months	New — complements 2ZA for long leases
2ZC	M	NEW	—	New landlord after superior lease ended (specified types)	4 months	New — must claim within 6 months of becoming landlord
2ZD	M	NEW	—	New landlord after long superior lease ended	4 months	New — as 2ZC but for long leases
3	—	REPEALED	Old Gd 3	Holiday accommodation	—	Omitted by Sch. 1, para. 8 — rationale spent without fixed terms and s. 21

# Grounds for Possession (Page 2)

Gd	M/D	Status	Old Gd	Description	Notice	Key Change
4	M	Amended	Old Gd 4	Rent Act succession	2 weeks	Prior notice and institutional landlord requirements removed
4A	M	NEW	—	Student accommodation in HMOs – re-let to students	4 months	Entirely new – student test; letting ≤6 months; relevant date 1 Jun–30 Sep; prior written notice required
5	M	Amended	Old Gd 5	Ministers of religion	2 months	Prior notice requirement removed
5A	M	NEW	—	Agricultural worker housing	2 months	Entirely new – landlord requires dwelling for qualifying agricultural worker
5B	M	NEW	—	Employment requirements (social housing)	2 months	New – RP of social housing; tenant no longer meets employment-related requirements
5C	M	Promoted	Old Gd 16	Employer's dwelling (employee ceases employment)	2 months	Renumbered from Gd 16; promoted from discretionary to mandatory; expanded to police constables
5D	M	NEW	—	Employment requirement in tenancy (social housing)	2 months	New – RP of social housing; tenant no longer fulfils tenancy employment requirement
5E	M	NEW	—	Supported accommodation – landlord needs possession for supported use	4 weeks	Entirely new – tenant did not enter tenancy for care/support
5F	M	NEW	—	Supported accommodation – support/funding ceased	4 weeks	Entirely new – support services ended, funding withdrawn, or financial viability threatened

# Grounds for Possession (Page 3)

Gd	M/D	Status	Old Gd	Description	Notice	Key Change
5G	M	NEW	—	Homelessness duty tenancy no longer required	4 weeks	New – local authority notified landlord; relevant date within 12 months of notification
5H	M	NEW	—	Stepping stone accommodation – eligibility conditions no longer met	2 months	New – RP/charity; tenant no longer meets work/age eligibility; rent ≤80% market rent
6	M	Amended	Old Gd 6	Redevelopment	4 months	Substantially rewritten – detailed provisions for social landlords, commonhold; alternative accommodation condition for RSLs
6A	M	NEW	—	Recovery of alternative accommodation provided during redevelopment	4 months	New – social landlords only; must offer suitable alternative back
6B	M	NEW	—	Compliance with enforcement action	4 months	Entirely new – banning order, overcrowding notice, prohibition order, HMO licence refusal, planning enforcement; court may award compensation (s.11A)
7	M	Amended	Old Gd 7	Death of tenant – tenancy devolved	2 months	Successor occupying as principal home now protected unless prior devolution or special tenancy
7A	M	Retained	Old Gd 7A	Serious criminal offences	No notice	Substantively unchanged
7B	M	Retained	Old Gd 7B	Immigration status	2 weeks	Substantively unchanged
8	M	Amended	Old Gd 8	Serious rent arrears	4 weeks	Thresholds raised: 13 weeks / 3 months; Universal Credit delays disregarded; notice period increased from 2 weeks to 4 weeks

# Grounds for Possession (Page 4)

Gd	M/D	Status	Old Gd	Description	Notice	Key Change
9	D	Retained	Old Gd 9	Suitable alternative accommodation	2 months	Substantively unchanged
10	D	Retained	Old Gd 10	Some rent arrears	4 weeks	Substantively unchanged
11	D	Retained	Old Gd 11	Persistent delay in paying rent	4 weeks	Substantively unchanged
12	D	Retained	Old Gd 12	Breach of tenancy obligation	2 weeks	Substantively unchanged
13	D	Retained	Old Gd 13	Waste or neglect; deterioration of property	2 weeks	Substantively unchanged
14	D	Retained	Old Gd 14	Nuisance or annoyance; illegal/immoral use	No notice	Substantively unchanged; s.9A amended: court must consider whether tenant cooperated with landlord (s.4 RRA)
14ZA	D	Retained	Old 14ZA	Conviction for riot offence	2 weeks	Substantively unchanged
14A	D	Retained	Old 14A	Domestic violence – partner left	2 weeks	Substantively unchanged
15	D	Retained	Old Gd 15	Deterioration of furniture	2 weeks	Substantively unchanged

# Grounds for Possession (Page 5)

Gd	M/D	Status	Old Gd	Description	Notice	Key Change
17	D	Retained	Old Gd 17	Grant induced by false statement	2 weeks	Substantively unchanged
18	D	NEW	—	Supported accommodation — tenant unreasonably refused to cooperate	4 weeks	Entirely new discretionary ground

# Summary: What Has Changed?

## RETAINED (substantively unchanged)

7A, 7B, 9, 10, 11, 12, 13, 14 (s. 9A amended), 14ZA, 14A, 15, 17

## AMENDED

1, 2, 4, 5, 6, 7, 8

## REPEALED

3 (holiday accommodation) – omitted by Sch. 1, para. 8

## PROMOTED to mandatory

16 → renumbered 5C (employer's dwelling); expanded to police

## NEW (17 total: 16 mandatory + 1 discretionary)

**Mandatory:** 1A (sale), 1B (rent-to-buy), 2ZA–2ZD (superior leases), 4A (student HMOs), 5A (agricultural), 5B (employment – social housing), 5D (employment requirement – social housing), 5E–5F (supported accommodation), 5G (homelessness duty), 5H (stepping stone), 6A (redev alternative accommodation), 6B (enforcement compliance)

**Discretionary:** 18 (supported accommodation – tenant refuses to cooperate)

# Notice Periods Under New Section 8(4AA)

Notice Period	Grounds
4 months	1, 1A, 1B, 2, 2ZA, 2ZB, 2ZC, 2ZD, 4A, 6, 6A, 6B
2 months	5, 5A, 5B, 5C, 5D, 5H, 7, 9
4 weeks	5E, 5F, 5G, 8, 10, 11, 18
2 weeks	4, 7B, 12, 13, 14ZA, 14A, 15, 17
No notice	7A, 14 – court may dispense with notice (HA 1988, s. 8(4))

*For Ground 8, notice increased from 2 weeks (old) to 4 weeks – but arrears thresholds also raised (8 weeks → 13 weeks; 2 months → 3 months).*

# Safeguards Against Misuse of Grounds 1 & 1A

- Re-letting within 12 months of recovering possession on Ground 1/1A is a criminal offence unless circumstances genuinely changed.
- Landlord must not market the property for re-letting during the restricted period.
- Landlord must provide prescribed information to the tenant at the start of the tenancy (ss. 16D–16E).
- Financial penalties may be imposed for contravention (RRA 2025, s. 15, inserting HA 1988, s. 16I).

*Purpose: to prevent landlords using Grounds 1/1A as a de facto section 21 substitute – recovering possession and then immediately re-letting to a different tenant at a higher rent.*



# Transitional Arrangements & Social Landlords

RRA 2025, ss. 145–148 and Sch. 6



# The Commencement Date: 1 May 2026

- s. 145(1): Act comes into force on such day as the Secretary of State may by regulations appoint.
- s. 145(8): Different days may be appointed for social housing assured tenancies – the social sector may come into the new regime later.
- s. 146(1): On the commencement date, all existing tenancies – whether fixed term or periodic, AST or ordinary assured – become "*section 4A assured tenancies*" subject to the new periodic regime.
- s. 147: Fixed term tenancy and its statutory periodic successor treated as a single assured tenancy.

27 Oct 2025: Royal Assent	27 Dec 2025: Phase 1 (investigatory powers)	1 May 2026: Core tenancy reforms	Late 2026+: PRS Database, Ombudsman
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# Existing Section 21 Notices

## Claim form already requested

*Sch. 6, para. 3*

### Notice valid until:

- proceedings concluded.
- Chapter 1 reforms do not apply until notice ceases to be valid.
- Tenancy remains an AST until then.
- **Pending proceedings are protected.**

## Claim form not yet requested

*Sch. 6, para. 4*

### Notice valid for shorter of:

- 6 months from service; or
- 3 months from 1 May 2026 (i.e., before 1 August 2026).
- If landlord misses window: notice lapses, AST ends, tenancy enters new regime.
- **Only s. 8 grounds available thereafter.**

**Landlord information duty:** prescribed information must be given to tenants of existing written tenancies by 1 June 2026 (RRA 2025, Sch. 6, para. 7)

# Application to Social Landlords & Housing Associations

## When does it apply?

**s.145(8):** The Secretary of State may appoint a different commencement date for "*social housing assured tenancies*" – defined as an assured tenancy of social housing (within Part 2 of the Housing and Regeneration Act 2008) where the landlord is a private registered provider of social housing.

The private rented sector will transition first on **1 May 2026**. Social housing tenancies held by private registered providers will follow **at a later date** (to be announced in Phase 2/3), after the Regulator of Social Housing has consulted on a new tenancy standard.

# Summary

1. **Fixed term tenancies abolished** – all assured tenancies are periodic, monthly rent periods only (RRA 2025, s. 1 → HA 1988, s. 4A)
2. **Section 21 and assured shorthold tenancies repealed** – every possession claim requires a statutory ground, notice, and court order (RRA 2025, s. 2)
3. **Possession grounds expanded** – 8 amended, 1 repealed (Ground 3), 1 promoted (Ground 16 → 5C), 16 new mandatory + 1 new discretionary (RRA 2025, s. 3 and Sch. 1)
4. **Commencement** – 1 May 2026 for PRS; social housing to follow at a later date (RRA 2025, s. 145(8))
5. **Transitional** – pending s.21 proceedings protected; unissued claims must be filed before 1 August 2026; landlord information duty by 1 June 2026 (RRA 2025, Sch. 6)





# Written statements



# Written statement obligations

## New assured tenancies

- [Section 16D HA 1988](#): give written statement of terms & other prescribed information before tenancy entered into
- Private rented sector only (not social housing)
- All ATs granted on or after 01.05.26
- **Except** those arising following a surrender & regrant due to a variation of terms ([s16D\(1\) HA 1988](#))
- [The Assured Tenancies \(Private Rented Sector\) \(Written Statement of Terms etc and Information Sheet\) \(England\) Regulations 2026](#)
- [Reg 2 & Schedule to 2026 Regulations](#)

## Existing assured tenancies

- [Paragraph 7 Schedule 6 RRA 2025](#) and [Regulation 3 of the 2026 Regulations](#)
- (A) Existing tenancies “*wholly or partly in writing*”:
  - Must serve government-produced RRA 2025 information sheet
  - Before the end of the period of one month beginning with 01.05.26
- (B) Existing tenancies which are “*wholly oral*”:
  - Obligation under [s16D](#) applies but deadline for providing WS is within one month of the commencement date

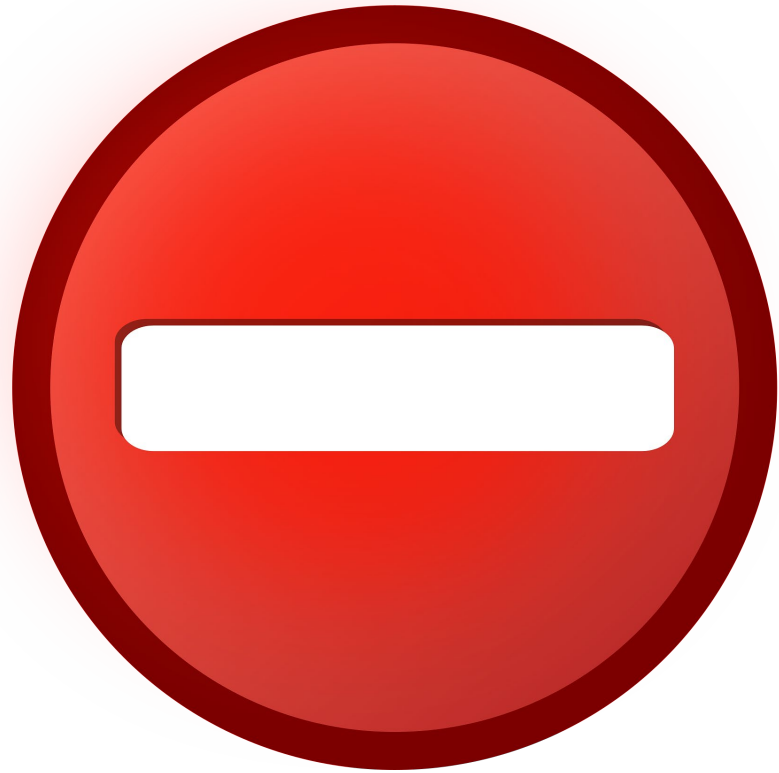


# "The landlord legislation"



# ***“The landlord legislation”***: what is it?

- Defined by s107(5) RRA 2026:
  - Chapters 3 and 6 of Part 1 RRA 2025
  - Part 2 RRA 2025
  - Sections 1 and 1A Protection from Eviction Act 1977
  - Chapter 1 of Part 1 HA 1988



**Landlords must not.....**

1. Fail to give written statement ([s16D HA 1988](#))
2. Purport to let on fixed term ([16E\(1\)\(a\) HA 1988](#))
3. Purport to terminate via NTQ ([16E\(1\)\(b\) HA 1988](#))
4. Purport to terminate orally ([16E\(1\)\(c\) HA 1988](#))
5. Serve a purported notice of possession ([16E\(1\)\(d\) HA 1988](#))
6. Rely on ground for possession without reasonable belief in entitlement to do so ([16E\(1\)\(e\) HA 1988](#)), or knowing/reckless that has no entitlement ([s16J\(1\) HA 1988](#))
7. Rely on certain grounds where no notice given in WS ([16E\(1\)\(f\) HA 1988](#))
8. Relet/remarket dwelling after relying on Grounds 1/1A ([s16E\(2\)-\(3\) HA 1988](#))
9. Discriminate against people with children ([s33 RRA 2026](#))
10. Discriminate against benefits claimants ([s34 RRA 2026](#))
11. Fail to advertise rent ([s56\(2\) RRA 2026](#))
12. Invite/accept higher rent than advertised ([s56\(3\) RRA 2026](#))
13. Future obligations: membership of ombudsman scheme and PRS database ([Part 2 RRA 2026](#))



# Enforcement: investigatory and sanctioning powers



# Core features of enforcement framework

01

## LHA duties to enforce and report

- Duty of LHAs to enforce the "landlord legislation" in its area ([§107 RRA 2025](#))
- Duty on LHAs to report to SoS on the above ([§110 RRA 2025](#))

02

## New investigatory powers

- Seize documents
- Enter premises under warrant & by reasonable force

03

## New/expanded sanctions

- Criminal offences
- Penalties
- Rent Repayment Orders

# Powers to compel provision of information

- New powers to compel provision of information in [ss114-131 RRA 2025](#).
- [S114](#): LHA can compel provision of information specified in notice from landlords, licensors, agents etc for purposes connected with any function of the authority under or by virtue of statutory provisions set out in [s114\(3\)](#).
  - Privileged information excepted ([s114\(9\)](#)).
  - Non-compliance without reasonable excuse subject to criminal sanction ([s131\(b\)](#)).
- [S115](#): compulsion of information from any person when reasonable suspicion of breach of housing legislation
  - Enforceable by court order requiring person to do anything reasonable to do to ensure compliance





# Powers of entry

- [Ss118 to 120](#) create powers for LHAs to enter premises occupied for the purposes of a rental sector business by landlords, agents etc , inc:
  - Warrant from JP ([s120](#));
  - Entry under warrant using reasonable force ([s121](#));
  - Require production/copying of, and powers to seize, documents ([ss122-123](#));
  - Legal privilege exception ([s122\(7\)/s123\(6\)](#)).
- [S126](#): power for specially authorised LHA officer to enter premises reasonably suspected to be subject to residential tenancy to investigate breaches.
  - Again warrants can be obtained and executed using reasonable force ([ss128-129](#))

# Criminal offences

## Section 16J HA 1988

1. Dishonest reliance on possession ground leading to surrender
2. Reletting/remarketing after use of Grounds 1/1A
3. Breach continuing for at least 28 days after penalty
4. Repeat breach after earlier penalty or conviction



# Financial Penalties



- [Ss16I and s16K HA 1988 / Ss 40, 57, 66 and 91 RRA 2026](#)
- Max penalty generally £7k but can be up to £40k in certain circumstances
- Standard of proof = beyond reasonable doubt **except** for discrimination and rental bidding which are on BoP
- Can be imposed jointly and severally

# Financial penalties: process

## Local housing authorities

- Statutory Guidance to LHAs – ‘Civil penalties under the Renters’ Rights Act 2025 and other housing legislation’ (MHCLG, 13 November 2025)
- Must develop, and act in accordance with, enforcement policy
- No expectation that attempt to resolve informally before taking enforcement action
- Exercising quasi-judicial function therefore must be satisfied by credible, reliable and sufficient documentary or other evidence
- Level of penalties for LHA but should not depart from own policy without explaining why (*Waltham Forest LBC v Marshall* [2020] UKUT 35 (LC) at [55])

## Legal process

- [Schedule 2ZA HA 1988](#) / [Schedule 5 RRA 2026](#)
- Notice of intent
- Right of recipient to make representations
- Final notice
- Right of appeal to FTT

# New Offences Amenable to RROs from 01.05.26

Misuse of  
possession  
ground (s16J(1)  
HA 1988)

Breach of  
restriction on  
letting/marketing  
(s16J(2) HA 1988)

Continuing  
breaches after  
penalty (s16J(3)  
HA 1988)

Continuing  
breaches re:  
redress scheme  
(s67 RRA 2025)

Continuing  
breaches re:  
PRS database  
(s92(2) RRA  
2025)

Provision of  
false/misleading  
information to  
PRS database  
(s92(1) RRA  
2025)

# Extensions to ambit of RROs

01

## Superior landlords

- Will be possible to pursue superior landlords (s40(1)(b) HPA 2016)
- Cf. current position & Rakusen v Jepsen [2023] UKSC 9

02

## Company officers

- Can also be pursued against officers of corporate landlords (s51A HPA 2016)
- Cf. current position & Kaszowska v White [2022] UKUT 11 (LC)

03

## Time limits

- Time limits to be extended to two years from date of the offence (s41(2)(b) HPA 2016)

04

## Maximum rent

- Tribunal will be able to order repayment of rent up to a new maximum of 2 years ending with the date of the offence (s44(2) HPA 2016)

**NB: statutory guidance for LHAs on use of RRO powers  
issued 13 November 2025!**

See **'Rent repayment orders: guidance for local authorities'**  
**from MHCLG**





# Conclusion: do's and don'ts



# RRA 2025 – the do's and don'ts

## Do

- Be ready for implementation date
- Have new RRA-compliant tenancy agreements (i.e. written statements) ready to go
- Ensure termination procedures updated and followed – inc. use of appropriate prescribed forms
- Where using letting agent, ensure up to scratch
- Understand impact of RRA 2025 on your business
- LHA enforcement policy-framework – formulate if LHA, know it if you're not one
- Keep up to date! E.g. landlord redress scheme and PRS database obligations

## Don't

- Fail to prepare
- Use out of date/invalid tenancy agreements and notices
- Use possession grounds without entitlement to do so
- Fail to keep yourself informed and updated
- Get caught out at cost of fines, having to repay rent and even criminal records



# Discussion & Q&A



**Alistair Cantor**

[acantor@cornerstonebarristers.com](mailto:acantor@cornerstonebarristers.com)



**Luke Decker**

[ldecker@cornerstonebarristers.com](mailto:ldecker@cornerstonebarristers.com)