

# RROs, Financial penalties and enforcement

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# What's in the Renters Reform Bill?



# What's new for landlords?

- Changes to tenancies and evictions
- Standards in properties
- Registration with redress scheme and property portal
- Council enforcement requirements



# Change to tenancies and evictions – in words

- Have to give written tenancy terms
- No fixed-term AST
- No more Section 21 “no-fault” evictions:
  - Selling the property
  - Moving yourself or family into the property
  - Delayed – likely until next government

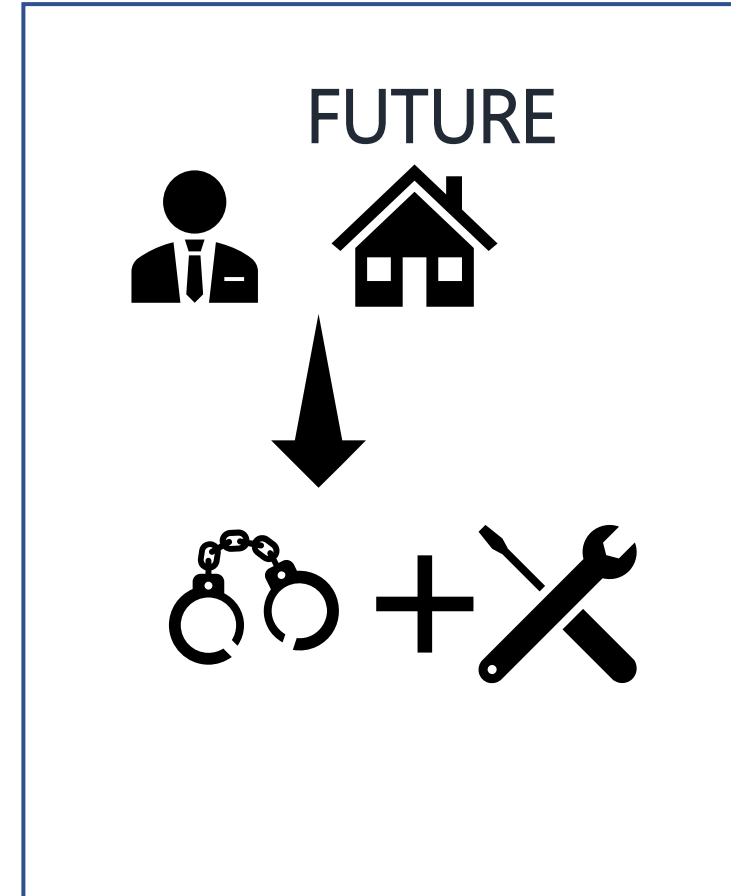
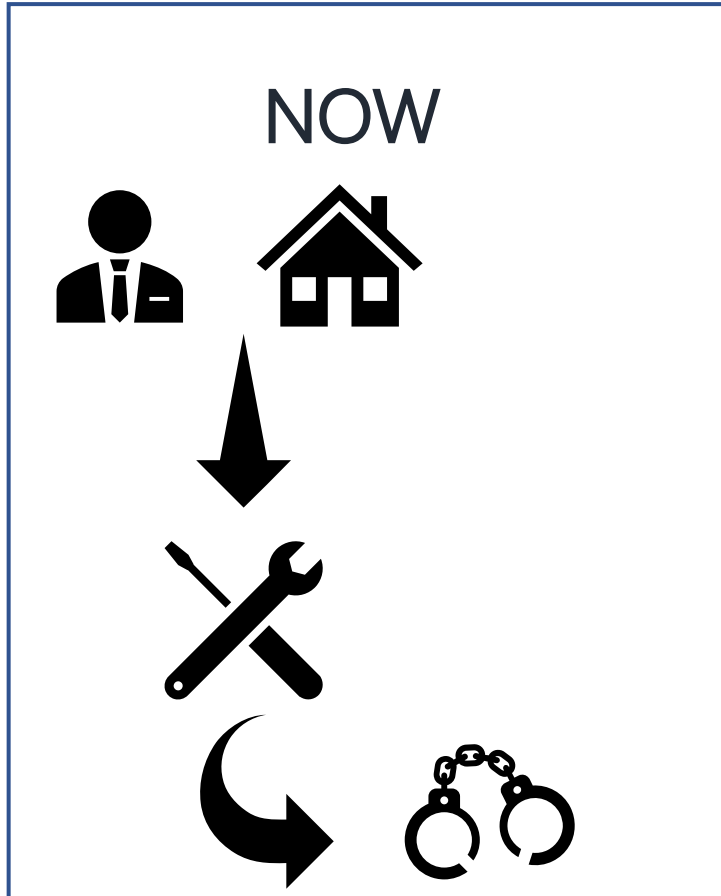


# Change to tenancies and evictions – breaches of law

- No tenancy agreement/fixed term
- Wrong eviction notice/notice to quit
- Not putting grounds for eviction in the tenancy agreement



# Decent Homes Standard



# Registration with redress scheme and property portal

- Every landlord needs to be registered with the new landlord ombudsman
- Every *landlord* needs to be registered with the Private Rented Sector Database
- Every *property* needs to be registered with the Private Rented Sector Database



# Renters Reform Bill: Statutory Duty

*58: It is the **duty** of every local housing authority to **enforce the landlord legislation** in its area.*

Enforcement is defined as either:

- A financial penalty
- A criminal prosecution





# New offences for which enforcement must occur ("Landlord Legislation")

## Protection from Eviction Act 1977

- Unlawful eviction (s.1(2))
- Harassment (ss.1(3)/(3A))

## Housing Act 1988

- Duty to give written statement (s.16D)
- Prohibition of actions by residential landlord (s. 16E(2)(a)-(c), (e)-(f))

## Renters (Reform) Bill

- Landlord redress schemes (ss.24(1)/(4))
- Private Rented Sector Database (ss.39(1)-(3))



# RROs: Tenant-led enforcement

- Tenants can apply even after they have left the property
- 12-24 months rent can be repaid
- 1200 tenants, £1.8 million of rent each year
- Local authorities have to consider them



# RRO offences

## Protection from Eviction Act 1977

- Unlawful eviction (s.1(2))
- Harassment (ss.1(3)/(3A))

## Licensing breaches

- **S.72(1) HA 2004 - HMO**
- S.95(1) HA 2004 - Selective

## Non-compliance with LA notice

- Improvement Notice
- Prohibition Order



# Do tenants win?

- 98.5% success rate with JFT
- Over 50% generally win



# What does it cost to defend proceedings?

- Solicitor is usually ~£6,000
- Barrister is £1,000 - £8,000



# Professionalising landlords and increasing enforcement?

- Financial Penalties
- Rent Repayment Orders
- Funding for enforcement
- Decent Homes Standard
- Renters Reform Bill
- HMO identifier



# How does the HMO identifier work

- Financial Footprints
- Impossible to avoid
- Ensure that unlicensed landlords are caught



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