

Social Housing (Emergency Protection of Tenancy Rights) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

A

B I L L

TO

Give social housing tenants the right to continuity of secure tenancy in circumstances when they have to move because of a threat to the personal safety of the tenant or someone in their household; to place associated responsibilities on local authorities and social housing providers; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Secure tenancy in cases of threat to safety

- (1) The Housing Act 1985 is amended as follows.
- (2) After section 81ZA (grant of secure tenancies in cases of domestic abuse), insert—

“81ZB Right to continuity of secure tenancy in cases of threat to safety 5

- (1) This section applies where—
 - (a) a local housing authority has granted a secure tenancy of a dwelling-house in England to a person (whether as the sole tenant or as a joint tenant), and
 - (b) the authority is satisfied that there is a threat to the personal safety of that person or of a member of that person’s household which means there is a risk to their personal safety unless they move. 10
- (2) *The authority has a duty to ensure that the tenant is granted a new secure tenancy on terms at least equivalent to the existing tenancy in a dwelling where that threat does not apply.* 15
- (3) In assessing the threat under subsection (1)(b) the authority must act in accordance with any relevant police advice provided to—
 - (a) the authority,
 - (b) the tenant, or 20
 - (c) any member of the tenant’s household.
- (4) In this section, a “threat to personal safety” means any threat of violence, including in circumstances of—

- (a) domestic abuse where the perpetrator does not live at the same address as the victim;
- (b) an escalating neighbour dispute;
- (c) a threat of targeted youth or gang violence.

81ZC Duty to co-operate over section 81ZB duty 5

- (1) This section applies where—
 - (a) section 81ZB applies, and
 - (b) for personal safety reasons the tenant needs to move to an area where their current landlord does not own any suitable dwellings. 10
- (2) *Social housing landlords in England have a duty to co-operate in the interests of—*
 - (a) *acting on a right to continuity of secure tenancy under section 81ZB, and*
 - (b) *the personal safety of the tenant and members of the tenants household.* 15
- (3) In this section, “social housing landlords” means—
 - (a) local housing authorities, and
 - (b) registered social landlords.”

2 Extent, commencement and short title 20

- (1) Any amendment made by this Act has the same extent as the provision amended.
- (2) This Act comes into force at the end of the period of 30 days beginning with the day on which it is passed.
- (3) This Act may be cited as the Social Housing (Emergency Protection of Tenancy Rights) Act 2022. 25

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