
Committee Stage: Thursday 31 October 2024

Renters' Rights Bill (Amendment Paper)

This document lists all amendments tabled to the Renters' Rights Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

☆ Amendments which will comply with the required notice period at their next appearance.

Carla Denyer

80

☆ Clause 39, page 46, line 41, leave out "£7,000" and insert "£15,000"

Member's explanatory statement

This amendment would increase the maximum financial penalty for breach of the anti-discrimination provisions to £15,000.

Carla Denyer

78

Clause 39, page 47, line 3, at end insert—

"(6A) On recovering a financial penalty imposed under this section, a local housing authority shall pay 20% of the recovered penalty to the person who was the subject of the discrimination.

(6B) Where the person who was the subject of the discrimination complains to the relevant landlord redress scheme about the same discriminatory behaviour, the scheme provider shall take into account any sum paid or payable to that person under subsection (6A) in assessing any further award of compensation which the relevant person is directed to pay to that person under the scheme."

Member's explanatory statement

This amendment provides a mechanism for a complainant to receive a portion of the financial penalty imposed by a local housing authority as compensation for being discriminated against.

Carla Denyer

44

Clause 57, page 79, line 31, after “section 1” insert—

“—

- (a) in subsection (4)(a), omit “the prescribed sum” and insert “£60,000”;
- (b)”

Member's explanatory statement

This amendment increases the maximum fine for illegal evictions under the Protection from Eviction Act 1977 to £60,000.

Secretary Angela Rayner

Gov 22

Matthew Pennycook

Clause 59, page 84, line 23, leave out from “in” to end of line 25 and insert “section 13(1A), (1AA) or (1AB);”

Member's explanatory statement

This adds a reference to the new subsection (1AA) which will be inserted into section 13 of the Landlord and Tenant Act 1985 by clause 30(3)(b)(ii).

David Simmonds

65

Clause 62, page 89, line 25, after “residential landlord” 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 introduced by Clause 62 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.

Secretary Angela Rayner

Gov 23

Matthew Pennycook

Clause 62, page 90, line 16, at end insert—

“(4A) Regulations under subsection (1) may require a person—

- (a) to provide relevant property information to the administrator of a landlord redress scheme, on applying to become a member of the scheme;
- (b) at any time after becoming a member of a landlord redress scheme, to notify the administrator of the scheme of any change to relevant

property information previously provided by the person as soon as reasonably practicable, or within a period, as specified in the regulations.

- (4B) For the purposes of subsection (4A), “relevant property information” means such information as may be specified in the regulations relating to—
- (a) any residential tenancy under which the person is the residential landlord;
 - (b) any dwelling which is proposed to be marketed for the purpose of creating a residential tenancy under which the person will be the residential landlord.”

Member's explanatory statement

This enables regulations made under clause 62 (landlord redress schemes) to require a person on applying to join a landlord redress scheme to provide certain information about residential tenancies of which they are the landlord, or dwellings that will be marketed for the purpose of becoming residential tenancies of which they will be the landlord. There is also a separate duty to notify the scheme administrator of any changes to such information.

Mr Gideon Amos

72

Clause 98, page 117, line 20, at end insert—

- “(ia) 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;
- (ib) that is provided by the Ministry of Defence for use by service personnel; or”

Member's explanatory statement

This amendment would extend the Decent Homes Standard to accommodation provided to people on immigration bail and to that provided by the Ministry of Defence to service personnel.

Secretary Angela Rayner

Gov 24

Matthew Pennycook

Clause 98, page 118, line 27, at end insert—

- “(ba) a building or part of a building constructed or adapted for use as a house in multiple occupation if—
 - (i) it is for the time being only occupied by persons who form a single household, and
 - (ii) the accommodation which those persons occupy is let under a relevant tenancy or is supported exempt accommodation, except where the accommodation which those persons occupy is social housing and the landlord under the tenancy, or the provider of the supported exempt accommodation, is a registered provider of social housing,”

Member's explanatory statement

This expands the definition of "qualifying residential premises" - and therefore expands the scope of the power in new section 2A inserted by this clause - so as to catch HMO accommodation which is occupied by only one household (and therefore does not count as an HMO because it is not actually in multiple occupation).

Secretary Angela Rayner

Gov 25

Matthew Pennycook

Clause 98, page 118, line 34, after "(b)" insert ", (ba)"

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 26

Matthew Pennycook

Schedule 4, page 186, line 4, leave out sub-paragraph (3) and insert—

"(3) After subsection (8) insert—

"(9) But unoccupied HMO accommodation is "qualifying residential premises" for the purposes of this Part only to the extent provided for by section 2B(1)(ba)."

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 27

Matthew Pennycook

Schedule 4, page 202, line 5, leave out from second "premises" to ", and" in line 6 and insert "other than—

- (i) homelessness accommodation (see paragraph B1), or
- (ii) common parts (see paragraph 4)"

Member's explanatory statement

This excludes homelessness accommodation from the scope of the new paragraph A1. Instead it is dealt with by the new paragraph B1 inserted by Amendment 29. (Common parts are already excluded from new paragraph A1.)

Secretary Angela Rayner

Gov 28

Matthew Pennycook

Schedule 4, page 202, line 11, leave out from beginning to second “the” in line 13 and insert—

- “(1A) Sub-paragraph (2) applies in relation to the premises if they are—
- (a) a dwelling or HMO let under a relevant tenancy,
 - (b) an HMO where at least one unit of accommodation which forms part of the HMO is let under a relevant tenancy, or
 - (c) a building or a part of a building constructed or adapted for use as a house in multiple occupation if—
 - (i) it is for the time being only occupied by persons who form a single household, and
 - (ii) the accommodation which those persons occupy is let under a relevant tenancy.
- (2)”

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 29

Matthew Pennycook

Schedule 4, page 202, line 31, leave out paragraph (b) and insert—

- “(4) In this paragraph—
- “common parts” means common parts that are qualifying residential premises by virtue of section 2B(1)(d);
 - “homelessness accommodation” means accommodation in England—
 - (a) the availability of which is secured under Part 7 of the Housing Act 1996 (homelessness), and
 - (b) which is residential premises, whether by virtue of paragraph (e) or another paragraph of section 1(4).

Service of improvement notices: homelessness accommodation (whether or not it is qualifying residential premises)

- B1 (1) This paragraph applies where the specified premises in the case of an improvement notice are homelessness accommodation (which has the same meaning here as in paragraph A1).
- (2) The notice must be served on any person—
- (a) who has an estate or interest in the premises, and
 - (b) who, in the opinion of the local housing authority, ought to take the action specified in the notice.
- (3) This paragraph applies instead of paragraph 1, 2 or 3 (in a case where that paragraph would otherwise apply to the improvement notice).”

Member's explanatory statement

The definitions are consequential on Amendment 27. The new paragraph B1 provides for the service of all improvement notices relating to homelessness accommodation (and replaces the current provision which only catches notices about requirements under regulations under section 2A).

Secretary Angela Rayner

Gov 30

Matthew Pennycook

Schedule 4, page 203, line 5, leave out "let under a relevant tenancy, or" and insert "a dwelling or HMO let under a relevant tenancy,"

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 31

Matthew Pennycook

Schedule 4, page 203, line 8, at end insert "or

- (c) are a building or a part of a building constructed or adapted for use as a house in multiple occupation—
 - (i) that is for the time being only occupied by persons who form a single household, and
 - (ii) where the accommodation which those persons occupy is let under a relevant tenancy,"

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 32

Matthew Pennycook

Schedule 4, page 203, line 12, after "tenancy." insert—

"(2B) Where—

- (a) sub-paragraph (2A) does not apply in relation to the specified premises,
- (b) the specified premises consist of or include the whole or any part of a building containing homelessness accommodation, and
- (c) the person providing the homelessness accommodation—
 - (i) is a tenant of that accommodation under a tenancy which has an unexpired term of 3 years or less (the "short tenancy"), and

- (ii) accordingly is not an owner in relation to the homelessness accommodation (see section 262(7)(b)),

the authority must also serve copies of the order on any person who, to their knowledge, is a tenant under the short tenancy, a landlord under the short tenancy, or a superior landlord in relation to the short tenancy, and who is not otherwise required to be served with a copy of the notice under this paragraph.

(2C) In sub-paragraph (2B) “homelessness accommodation” means accommodation in England—

- (a) the availability of which is secured under Part 7 of the Housing Act 1996 (homelessness), and
- (b) which is residential premises, whether by virtue of paragraph (e) or another paragraph of section 1(4).”

Member's explanatory statement

This requires copies of a prohibition notice to be given where homelessness accommodation is provided by a person who is a tenant of the accommodation under a lease with an unexpired term of 3 years or less.

Secretary Angela Rayner

Gov 33

Matthew Pennycook

Schedule 4, page 203, line 13, leave out “after “(2)” insert “or (2A)”” and insert “for “sub-paragraph (2)” substitute “this paragraph””

Member's explanatory statement

This is consequential on Amendment 32.

Secretary Angela Rayner

Gov 34

Matthew Pennycook

Schedule 4, page 203, line 28, leave out “let under a relevant tenancy, or” and insert “a dwelling or HMO let under a relevant tenancy,”

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 35

Matthew Pennycook

Schedule 4, page 203, line 31, at end insert “or

- (c) are a building or a part of a building constructed or adapted for use as a house in multiple occupation—

- (i) that is for the time being only occupied by persons who form a single household, and
- (ii) where the accommodation which those persons occupy is let under a relevant tenancy,”

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner

Gov 36

Matthew Pennycook

Schedule 4, page 203, line 35, after “tenancy.” insert—

“(2B) Where—

- (a) sub-paragraph (2A) does not apply in relation to the specified premises,
- (b) the specified premises consist of or include the whole or any part of a building containing homelessness accommodation, and
- (c) the person providing the homelessness accommodation—
 - (i) is a tenant of that accommodation under a tenancy which has an unexpired term of 3 years or less (the “short tenancy”), and
 - (ii) accordingly is not an owner in relation to the homelessness accommodation (see section 262(7)(b)),

the authority must also serve copies of the order on any person who, to their knowledge, is a tenant under the short tenancy, a landlord under the short tenancy, or a superior landlord in relation to the short tenancy, and who is not otherwise required to be served with a copy of the notice under this paragraph.

(2C) In sub-paragraph (2B) “homelessness accommodation” means accommodation in England—

- (a) the availability of which is secured under Part 7 of the Housing Act 1996 (homelessness), and
- (b) which is residential premises, whether by virtue of paragraph (e) or another paragraph of section 1(4).”

Member's explanatory statement

This requires copies of a prohibition notice to be given where homelessness accommodation is provided by a person who is a tenant of the accommodation under a lease with an unexpired term of 3 years or less.

Secretary Angela Rayner

Gov 37

Matthew Pennycook

Schedule 4, page 203, line 36, leave out “or (2A)” and insert “, (2A) or (2B)”

Member's explanatory statement

This is consequential on Amendment 36.

Secretary Angela Rayner**Gov 38**

Matthew Pennycook

Schedule 4, page 203, line 37, leave out "after "(2)" insert ", (2A)"" and insert "for "sub-paragraph (2) or (3)" substitute "this paragraph""

Member's explanatory statement

This is consequential on Amendment 36.

Secretary Angela Rayner**Gov 39**

Matthew Pennycook

Schedule 4, page 204, line 4, leave out "let under a relevant tenancy, or" and insert "a dwelling or HMO let under a relevant tenancy,"

Member's explanatory statement

This is consequential on Amendment 24.

Secretary Angela Rayner**Gov 40**

Matthew Pennycook

Schedule 4, page 204, line 7, at end insert "or

- (iii) are a building or a part of a building constructed or adapted for use as a house in multiple occupation that is for the time being only occupied by persons who form a single household and where the accommodation which those persons occupy is let under a relevant tenancy,"

Member's explanatory statement

This is consequential on Amendment 24.

Carla Denyer**79**

Schedule 5, page 207, line 31, leave out "Where" and insert "Subject to section 39(6A), where"

Member's explanatory statement

See Amendment 78.

Carla Denyer

41

Clause 100, page 120, line 9, leave out from “order)” to the end of line 12 and insert—

“—

- (a) in subsection (1), omit “, beyond reasonable doubt,”;
- (b) at the end of subsection (3), insert—
 - “(d) section 46A (where an order is made against more than one landlord or there has been a previous order”;
- (c) after subsection (3), insert—
 - “(4) Where the application for a rent repayment order relates to an offence under sections 1(2), (3) or 3(A) 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.”””

Member's explanatory statement

This amendment would apply the civil standard of proof for Rent Repayment Orders pursued on the basis of a Protection from Eviction Act 1977 offence.

David Simmonds

45

Clause 142, page 150, line 26, leave out from “subject to” to end of line 27 and insert—

“—

- (a) the publication of an economic impact assessment in relation to the bill, which must include the impact of abolishing fixed term assured tenancies on the student housing market; and
- (b) subsections (2) to (6).”

David Simmonds

46

Clause 142, page 150, line 26, leave out from “subject to” to end of line 27 and insert—

“—

- (a) the publication of a review under section 8 on the impact of that section on the tribunals responsible for the determination of rent; and
- (b) subsections (2) to (6).”

David Simmonds

64

Clause 142, page 150, line 26, leave out from “subject to” to end of line 27 and insert “—

- (a) the publication of an economic impact assessment of the bill, including abolishing fixed-term tenancies on student accommodation;
- (b) the publication of an assessment under section [*Assessment of operation of possession process*]; and
- (c) subsections (2) to (6).”

Ms Stella Creasy

NC1

To move the following Clause—

“Impact of orders for possession on credit ratings

- (1) The Financial Conduct Authority must develop guidance for credit rating agencies on the impact of orders for possession on the credit ratings of tenants.
- (2) Guidance prepared under this section must—
 - (a) outline that being subject to an order for possession under Grounds 1 to 8 must not negatively impact an individual’s credit rating;
 - (b) be published within three months of the passing of this Act.”

David Simmonds

NC2

To move the following 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 the UK.
- (2) A report 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 under this section must be laid before Parliament.”

David Simmonds

NC3

To move the following Clause—

“Report on certain matters relating to tenancy reform

- (1) The Secretary of State must make arrangements for an independent person to prepare a report on—

- (a) the impact of sections 1 and 2 on the provision of relevant tenancies;
 - (b) the extent to which the grounds in Schedule 2 to the 1988 Act as amended by this Act—
 - (i) operate effectively;
 - (ii) are comprehensive;
 - (iii) are fair.
- (2) The Secretary of State must, within the period of 18 months beginning with the relevant date, lay before both Houses of Parliament—
- (a) a copy of the report, and
 - (b) a statement setting out the Secretary of State’s response to the report.
- (3) Nothing in subsection (1) prevents the Secretary of State from arranging for the independent person to include in the report matters additional to those mentioned in that subsection.
- (4) In this section—
- “relevant date” means a date 18 months after the coming into force of sections 1 and 2 of this Act;
 - “relevant tenancy” means an assured tenancy within the meaning of the 1988 Act other than a tenancy of social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008.”

David Simmonds

NC4

To move the following Clause—

“Assessment of operation of possession process

- (1) The Lord Chancellor must prepare an assessment of the operation of the process by which—
- (a) on applications made by landlords, the county court is able to make orders for the possession of dwellings in England that are let under assured and regulated tenancies, and
 - (b) such orders are enforced.
- (2) The Lord Chancellor must publish the assessment at such time, and in such manner, as the Lord Chancellor thinks appropriate.
- (3) In this section—
- “assured tenancy” means an assured tenancy within the meaning of the 1988 Act;
 - “dwelling” means a building or part of a building which is occupied or intended to be occupied as a separate dwelling;
 - “regulated tenancy” means a regulated tenancy within the meaning of the Rent Act 1977.”

David Simmonds

NC5

To move the following Clause—

“Repeal of requirement for selective licensing

Part 3 of the Housing Act 2004 (Selective licensing of other residential accommodation) is repealed.”

Member's explanatory statement

This new clause would remove the ability of local housing authorities to designate areas as subject to selective licensing.

Mr Gideon Amos

NC6

To move the following Clause—

“Limit on rent to be requested in advance of tenancy

In the 1988 Act, after section 14ZB (inserted by section 8 of this Act) insert—

“14ZBA Maximum rent to be paid in advance

No rent may be requested or received in advance of any period of the tenancy which exceeds the rent for one month of the tenancy.””

Member's explanatory statement

This amendment would impose a limit of one month’s rent on the amount of rent which can be asked for or paid in advance of a tenancy.

Mr Gideon Amos

NC7

To move the following Clause—

“Impact of Act on provision of short-term lets

The Secretary of State must, within two years of the passing of this Act, publish a review of the impact of sections 1 to 3 on the number of landlords offering properties on short-term lets rather than in the private rented sector.”

Member's explanatory statement

This amendment would require the Secretary of State to review whether the prohibition on fixed term contracts had increased the number of landlords choosing to offer short-term lets instead of letting in the private rented sector.

Helen Hayes

NC8

Mr Jonathan Brash
 Dr Simon Opher
 Rachael Maskell
 Ms Stella Creasy
 Paula Barker

Andrew Cooper
 Nadia Whittome
 Will Stone
 Carla Denyer
 Ian Sollom
 Kirith Entwistle
 Dr Beccy Cooper

Alex Ballinger
 John McDonnell
 Mrs Sureena Brackenridge
 Claire Hanna
 Sammy Wilson
 Edward Morello

Charlotte Nichols
 Rosie Duffield
 Florence Eshalomi
 Peter Lamb
 Antonia Bance
 Paulette Hamilton

To move the following Clause—

“Guarantor to have no further liability following death of tenant

- (1) Subject to subsection (3), a guarantee agreement relating to a relevant tenancy ceases to have effect upon the death of a relevant tenant.
- (2) Upon the death of a relevant tenant the guarantor in respect of a relevant tenancy shall incur no further liability in relation to matters arising under the tenancy.
- (3) Nothing in this section shall affect the liability of a guarantor in relation to matters which arose before the date of the death of the relevant tenant.
- (4) In assessing any liability under subsection (3), account shall be taken of any tenancy deposit paid in respect of the tenancy.
- (5) Where there is more than one relevant tenant, this section shall apply only upon the death of both or all of the tenants.
- (6) In this section—
 - a “guarantor” is a person who enters into a guarantee agreement in relation to a relevant tenancy;
 - a “guarantee agreement” is a contractual promise (whether incorporated in or separate from the tenancy agreement) to indemnify or compensate a relevant person in respect of an obligation under the tenancy if the tenant fails to perform or comply with the obligation;
 - a “relevant tenancy” has the same meaning as in section 36, and “relevant tenant” is to be interpreted accordingly; and
 - “tenancy deposit” has the same meaning as in section 212(8) of the Housing Act 2004.”

Order of the House

[9 October 2024]

That the following provisions shall apply to the Renters' Rights Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 28 November 2024.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the Committee

[22 October 2024]

That—

1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 22 October) meet—
 - (a) at 2.00 pm on Tuesday 22 October;
 - (b) at 9.25 am and 2.00 pm on Tuesday 29 October;
 - (c) at 11.30 am and 2.00 pm on Thursday 31 October;
 - (d) at 9.25 am and 2.00 pm on Tuesday 5 November;
 - (e) at 9.25 am and 2.00 pm on Tuesday 12 November;
 - (f) at 11.30 am and 2.00 pm on Thursday 14 November;
 - (g) at 9.25 am and 2.00 pm on Tuesday 19 November;
 - (h) at 11.30 am and 2.00 pm on Thursday 21 November;

- (i) at 9.25 am and 2.00 pm on Tuesday 26 November;
- (j) at 11.30 am and 2.00 pm on Thursday 28 November.

2. the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 22 October	Until no later than 10.00 am	The National Residential Landlords Association; The Lettings Industry Council
Tuesday 22 October	Until no later than 10.30 am	Shelter; Citizens Advice
Tuesday 22 October	Until no later than 11.00 am	The Renters Reform Coalition; Generation Rent
Tuesday 22 October	Until no later than 11.25 am	The Housing Ombudsman Service
Tuesday 22 October	Until no later than 2.40 pm	Justin Bates KC; Giles Peaker; Liz Davies KC
Tuesday 22 October	Until no later than 3.00 pm	The Country Land and Business Association
Tuesday 22 October	Until no later than 3.20 pm	Indigo House Group
Tuesday 22 October	Until no later than 3.40 pm	Unipol
Tuesday 22 October	Until no later than 4.20 pm	The British Property Federation; The National Housing Federation; PropertyMark
Tuesday 22 October	Until no later than 4.50 pm	The Local Government Association; The Chartered Institute of Environmental Health
Tuesday 22 October	Until no later than 5.10 pm	ACORN
Tuesday 22 October	Until no later than 5.30 pm	The Ministry of Housing, Communities and Local Government

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 4; Schedule 1; Clauses 5 to 28; Schedule 2; Clause 29 to 71; Schedule 3; Clauses 72 to 98; Schedule 4; Clause 99; Schedule 5; Clauses 100 to 143; Schedule 6; Clauses 144 to 146; new Clauses; new Schedules; remaining proceedings on the Bill;

4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 28 November.