
Committee Stage: Tuesday 5 November 2024

Renters' Rights Bill

(Committee Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at committee stage.

A glossary with key terms can be found at the end of this document.

First to Eighth Sittings

First and Second Sittings

Matthew Pennycook

Agreed to

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
	Until no later than 10.30 am	Shelter; Citizens Advice
	Until no later than 11.00 am	The Renters Reform Coalition; Generation Rent
	Until no later than 11.25 am	The Housing Ombudsman Service
	Until no later than 2.40 pm	Justin Bates KC; Giles Peaker; Liz Davies KC
	Until no later than 3.00 pm	The Country Land and Business Association
	Until no later than 3.20 pm	Indigo House Group
	Until no later than 3.40 pm	Unipol
	Until no later than 4.20 pm	The British Property Federation; The National Housing Federation; Propertymark
	Until no later than 4.50 pm	The Local Government Association; The Chartered Institute of Environmental Health
	Until no later than 5.10 pm	ACORN
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.

Matthew Pennycook

Agreed to

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Matthew Pennycook

Agreed to

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

The following Witnesses gave oral evidence:

Ben Beadle, Chief Executive, National Residential Landlords Association

Theresa Wallace, Chair, Lettings Industry Council (TLIC)

Tarun Bhakta, Policy Manager, Shelter

Tom MacInnes, Director of Policy, Citizens Advice

Tom Darling, Director, Renters Reform Coalition

Ben Twomey, Chief Executive, Generation Rent

Richard Blakeway, Housing Ombudsman, Housing Ombudsman Service

Justin Bates KC, Landmark Chambers

Giles Peaker, Anthony Gold Solicitors

Liz Davies KC, Garden Court Chambers

Judicaelle Hammond, Director of Policy and Advice, Country Land and Business Association

Anna Evans, Director, Indigo House Group [via Zoom]

Victoria Tolmie-Loverseed, Interim Deputy Chief Executive & Company Secretary, Unipol

Melanie Leech CBE, CEO, British Property Federation

Suzannah Young, Policy Leader, National Housing Federation [via Zoom]

Timothy Douglas, Head of Policy and Campaigns, Propertymark

Cllr Adam Hug, Chair of the LGA Local Infrastructure and Net Zero Board, Local Government Association

Dr Henry Dawson, Senior Lecturer in Housing and Public Health, Cardiff Metropolitan University, Chartered Institute of Environmental Health (CIEH)

Anny Cullum, Political Officer, Acorn (the Union)

Matthew Pennycook, Minister of State for Housing and Planning (MHCLG)

Third and Fourth Sittings

_____ **David Simmonds**

Withdrawn after debate 48

Clause 1, page 1, line 13, at end insert “unless the tenant meets the student test where the tenancy is entered into.

- (1A) For the purposes of this section, a tenant who meets the student test when a tenancy is entered into has the same meaning as in Ground 4A.”

_____ **David Simmonds**

Not called 54

Clause 1, page 1, line 13, at end insert—

“, unless the landlord and the tenant mutually agree to have a fixed term during which period the landlord agrees to suspend the ability to seek possession under Ground 1 (Occupation by landlord or family), Ground 1A (Sale of dwelling-house) or Ground 6 (Redevelopment) of Schedule 2.

- (1A) During a fixed term tenancy agreed under subsection (1) the landlord shall not be entitled to increase the rent as provided for by section 13.”

_____ **Clause agreed to.**

_____ **Clause 2 agreed to.**

_____ **Clause 3 agreed to.**

_____ **Mr Gideon Amos**

Withdrawn after debate 73

Clause 4, page 4, leave out lines 35 to 37 and insert—

- (a) omit subsection (3);
 (b) in subsection (4)—
 (i) omit “Part II of”; and
 (ii) omit “, subject to subsections (5A) and (6) below,”

Member's explanatory statement

This amendment would make all grounds for repossession discretionary.

Mr Gideon Amos

Withdrawn after debate 68

Clause 4, page 5, line 40, at end insert—

“(fa) after subsection (5A), insert—

“(5B) Where the court makes an order for possession on grounds 1 or 1A in Schedule 2 to this Act (whether with or without other grounds), the order shall include a requirement on the landlord to file and serve evidence no later than sixteen weeks from the date of the order.

(5C) Evidence provided under subsection (5B) must—

(a) provide details of—

(i) the state of occupation of the dwelling-house since the date of the order, and

(ii) the progress of any sale of the dwelling-house, and

(b) be accompanied by a statement of truth signed by the landlord.””

Mr Gideon Amos

Not called 69

Clause 4, page 5, line 41, at end insert—

“(2A) After section 7, insert—

“7A Evidential requirements for Grounds 1 and 1A

(1) The court shall not make an order for possession on grounds 1 or 1A in Schedule 2 to this Act unless the landlord has complied with subsections (2) to (4) below.

(2) Where the landlord has served a notice for possession on grounds 1 or 1A, the court must be provided with evidence verified by a statement of truth signed by the landlord.

(3) Where the landlord has served a notice for possession on ground 1 and the dwelling house is required by a member of the landlord’s family as defined in paragraphs 2(b) to (d) of that ground, the court must be provided with evidence verified by a statement of truth signed by that family member.

(4) Where the landlord has served a notice for possession on ground 1A, the evidence referred to in sub-section (2) must include a letter of engagement from a solicitor or estate agent concerning the sale of the dwelling house.””

David Simmonds

Withdrawn after debate 56

Clause 4, page 6, line 14, leave out "1A,"

Mr Gideon Amos

Not called 70

Clause 4, page 6, line 15, leave out "4A,"

David Simmonds

Not called 57

Clause 4, page 6, line 16, at beginning insert "1A,"

Mr Gideon Amos

Not called 71

Clause 4, page 6, line 20, after "4," insert "4A,"

Secretary Angela Rayner

Agreed to Gov 1

Matthew Pennycook

Clause 4, page 7, line 6, at end insert—

"(5) After section 11 of the 1988 Act insert—

"11A Possession on ground 6A: compensation of tenant

- (1) This section applies where a court makes an order for possession of a dwelling-house let on an assured tenancy on Ground 6A in Schedule 2 to this Act (whether or not the order is also made on any other ground).
- (2) The court may order the landlord to pay to the tenant such sum as appears sufficient as compensation for damage or loss sustained by that tenant as a result of the order for possession.
- (3) In deciding whether to make an order under this section, and what compensation to order, the court must (in particular) take into account the circumstances which led to Ground 6A being available as a ground for making an order for possession (including any conduct by the tenant which caused or contributed to Ground 6A being available)."

Member's explanatory statement

This gives the court power to order the landlord to pay compensation to the tenant where possession is obtained on Ground 6A (failure of premises to comply with planning requirements etc).

Clause, as amended, agreed to.

Mr Gideon Amos

Not called 77

Schedule 1, page 155, line 6, at end insert—

“(1A) In the heading of Part 1, omit “must” and insert “may”.

(1B) Omit the heading of Part II.”

Member's explanatory statement

This amendment would make all grounds for repossession discretionary.

Carla Denyer

Withdrawn after debate 42

Schedule 1, page 155, line 9, leave out “1 year” and insert “2 years”

Member's explanatory statement

This amendment would increase the minimum period before a landlord can use certain grounds for possession from 12 months to 2 years.

David Simmonds

Not called 58

Schedule 1, page 156, leave out lines 14 to 16

Carla Denyer

Not called 43

Schedule 1, page 156, line 15, leave out “1 year” and insert “2 years”

Member's explanatory statement

This amendment would increase the minimum period before a landlord can use certain grounds for possession from 12 months to 2 years.

Secretary Angela Rayner

Agreed to Gov 2

Matthew Pennycook

Schedule 1, page 157, leave out line 13

Member's explanatory statement

This allows Ground 1B to be used to obtain possession whenever the landlord intends to grant an assured tenancy to another person (whether or not it is to be granted pursuant to a rent-to-buy agreement).

Secretary Angela Rayner

Agreed to Gov 3

Matthew Pennycook

Schedule 1, page 157, leave out line 30

Member's explanatory statement

This leaves the definition of "market rent" out of Ground 1B, as it is superseded by Amendment 4.

Secretary Angela Rayner

Agreed to Gov 4

Matthew Pennycook

Schedule 1, page 157, line 33, after "rent" insert "(and here "rent" and "market rent" include any amount payable by way of service charge)"

Member's explanatory statement

This ensures that any service charge is taken into account in both the rent and the market rent (when determining whether the rent is higher than 80% of the market rent).

Secretary Angela Rayner

Agreed to Gov 5

Matthew Pennycook

Schedule 1, page 165, line 18, leave out from "than" to ", and" in line 22 and insert "80% of market rent (and here "rent" and "market rent" include any amount payable by way of service charge)"

Member's explanatory statement

This replaces the term "affordable rent" with a reference to rent that is no more than 80% of the market rent.

David Simmonds

Withdrawn after debate 60

Schedule 1, page 168, line 26, at end insert—

"20A After Ground 6 insert—

"Ground 6ZA

The landlord or superior landlord who is seeking possession intends to undertake such works as are necessary to ensure that the property meets the standards set out by regulations under section 2A of the Housing Act 2004 and the intended work cannot reasonably be carried out without the tenant giving up possession of the dwelling-house because—

- (a) the tenant is not willing to agree to such a variation of the terms of the tenancy as would give such access and other facilities as would permit the intended work to be carried out, or
- (b) the nature of the intended work is such that no such variation is practicable, or
- (c) the tenant is not willing to accept an assured tenancy of such part only of the dwelling-house (in this sub-paragraph referred to as "the reduced part") as would leave in the possession of his landlord so much of the

dwelling-house as would be reasonable to enable the intended work to be carried out and, where appropriate, as would give such access and other facilities over the reduced part as would permit the intended work to be carried out, or

- (d) the nature of the intended work is such that such a tenancy is not practicable.””

Secretary Angela Rayner

Agreed to Gov 6

Matthew Pennycook

Schedule 1, page 168, line 30, leave out “situations has occurred” and insert “applies”

Member's explanatory statement

This changes the opening wording so that it works better with the provision which follows.

Secretary Angela Rayner

Agreed to Gov 7

Matthew Pennycook

Schedule 1, page 169, line 30, at end insert—

- “(g) compliance with a planning enforcement notice or injunction would be, or is, incompatible with continued occupation of the dwelling-house by the tenant.”

Member's explanatory statement

This enables the landlord to obtain possession where planning enforcement action has been taken and compliance with that action would be incompatible with continued occupation under the tenancy.

Secretary Angela Rayner

Agreed to Gov 8

Matthew Pennycook

Schedule 1, page 169, line 37, at end insert—

““planning enforcement notice or injunction” means—

- (a) an enforcement notice issued under section 172 or 182 of the TCPA 1990 that has taken effect,
- (b) a breach of condition notice served under section 187A of the TCPA 1990,
- (c) an injunction granted under section 187B of the TCPA 1990,
- (d) a listed building enforcement notice issued under section 38, 45 or 46 of the P(LBCA)A 1990 that has taken effect, or
- (e) an injunction granted under section 44A of the P(LBCA)A 1990;

“P(LBCA)A 1990” means the Planning (Listed Building and Conservation Areas) Act 1990;

“TCPA 1990” means the Town and Country Planning Act 1990;”

Member's explanatory statement

This defines the term “planning enforcement notice or injunction” which is used in Amendment 7.

David Simmonds

Withdrawn after debate 62

Schedule 1, page 170, line 3, at end insert—

“(za) for the first unnumbered paragraph, substitute—

“At the date of the service of the notice under section 8 of this Act relating to the proceedings for possession—””

David Simmonds

Not called 63

Schedule 1, page 170, line 6, at end insert—

“(ba) in paragraph (b), at end insert “and at the date of the hearing any rent is unpaid.””

David Simmonds

Withdrawn after debate 59

Schedule 1, page 170, line 13, at end insert—

“23A After Ground 8 insert—

“Ground 8A

The landlord who is seeking possession, or, in the case of joint landlords seeking possession for at least one of them, requires the dwelling-house for the purposes of providing care to—

- (a) a person under the age of 18;
- (b) a person who has a disability under section 6 of the Equality Act 2010; or
- (c) a person who requires personal care on the grounds of age, illness or injury.””

David Simmonds

Withdrawn after debate 61

Schedule 1, page 170, line 13, at end insert—

“23A In Ground 14, in each of paragraphs (a) and (aa), for “likely to cause” substitute “capable of causing”

Secretary Angela Rayner

Agreed to Gov 9

Matthew Pennycook

Schedule 1, page 172, leave out lines 29 to 32

Member's explanatory statement

This is in consequence of Amendment 5.

Schedule, as amended, agreed to.

Clauses 5 and 6 agreed to.

Mr Gideon Amos

Withdrawn after debate 76

Clause 7, page 8, line 31, leave out from "determination" to the end of line 36 and insert—

"(4AA) Where the rent for a particular period of the tenancy is to be greater than the rent for the previous period by virtue of a notice, determination or agreement mentioned in subsection (4A), the rent may not be greater than the rent for the previous period increased by the Bank of England Base Rate.

(4AB) Any provision relating to an assured tenancy to which this section applies is of no effect so far as it provides—

- (a) that the rent for a particular period of the tenancy must or may be greater than the rent for the previous period otherwise than by virtue of a notice, determination or agreement mentioned in subsection (4A), or
- (b) that the rent for a particular period of the tenancy, where greater than the rent for the previous period by virtue of a notice, determination or agreement mentioned in subsection (4A), must or may be greater than the rent for the previous period increased by the Bank of England Base Rate."

Member's explanatory statement

This amendment would mean that the maximum rent increase can only be an increase in line with the Bank of England Base Rate.

Clause agreed to.

David Simmonds

Withdrawn after debate 52

Clause 8, page 11, line 38, leave out from "date" to end of the line and insert "of the application under section 14(A1)"

David Simmonds

Not called 50

Clause 8, page 11, line 39, leave out from “is” to “the tenancy rent” in line 2 on page 12

David Simmonds

Not called 53

Clause 8, page 12, line 24, leave out from “13A(2)” to the end of line 32 and insert—

“or

- (b) a date that the appropriate tribunal directs, if it appears to the tribunal that applying paragraph (a) would cause undue hardship to the tenant.”

David Simmonds

Not called 51

Clause 8, page 12, line 35, leave out from “is” to “the proposed rent” in line 37

David Simmonds

Withdrawn after debate 47

Clause 8, page 13, line 6, at end insert—

“(12) The Secretary of State must—

(a) conduct a review of—

(i) the impact of this section on the tribunals responsible for the determination of rent, and

(ii) the ability of tribunals to manage an increase in applications for a review of a proposed rent increase; and

(b) consult with the Competition and Markets Authority on any measures necessary to ensure that tribunals are able to assess market rents without having a distorting effect on the market.

(13) The Secretary of State must lay the review made under subsection (12) and the Government’s response to the review before Parliament.”

Mr Gideon Amos

Not called 75

Clause 8, page 13, line 6, at end insert—

“(12) The Secretary of State must consult on—

(a) the adequacy of the existing resources of the tribunals responsible for the determination of rent;

(b) the need of the tribunals for further resources to manage an increase in applications for a review of a proposed rent increase.”

Member's explanatory statement

This amendment would require the Secretary of State to consult on whether tribunals responsible for the determination of rents are appropriately resourced to manage any additional workload arising from this Bill.

Clause agreed to.

Clauses 9 and 10 agreed to.

David Simmonds

Not called 55

Clause 11, page 16, line 13, at end insert—

“(4) The Secretary of State must consult with representatives of the insurance sector before this section comes into effect to ensure that appropriate insurance products are available for tenants whose landlords have required insurance as a condition for consenting to the keeping of a pet.”

Clause agreed to.

Secretary Angela Rayner

Agreed to Gov 10

Matthew Pennycook

Clause 12, page 17, line 7, leave out “subsection (5)” insert “subsections (5) and (5A)”

Member's explanatory statement

This amendment is consequential on Amendment 11

Secretary Angela Rayner

Agreed to Gov 11

Matthew Pennycook

Clause 12, page 17, line 16, at end insert—

“(5A) Where a tenancy becomes a tenancy to which this section applies by virtue of section 143C(3) of the Housing Act 1996 (demoted tenancies: change of landlord), the statement under subsection (2) must be given within the period of 28 days beginning with the date on which the new landlord becomes the landlord under the tenancy.”

Member's explanatory statement

This creates an exception from the new duty, inserted by clause 12 of the Bill into the Housing Act 1988, for a landlord to provide a written statement of certain matters before entering into an assured tenancy, so that the landlord of a tenancy which becomes an assured tenancy following the transfer of a demoted tenancy under the Housing Act 1996 has 28 days from becoming the landlord of the tenancy to fulfil those duties.

Clause, as amended, agreed to.

Clauses 13 to 18 agreed to.

David Simmonds

Withdrawn after debate 49

Clause 19, page 31, line 19, leave out from “substitute—” to end of line 34 and insert—

“(b) it satisfies—

- (i) subsection (1ZA), if it is given by a tenant in relation to premises let under an assured tenancy, or
- (ii) subsection (1ZC) in any other case; but in relation to landlords under assured tenancies see section 5(1) of the Housing Act 1988 (notice to quit by landlord is of no effect).”

(3) After subsection (1) insert—

“(1ZA) A notice to quit satisfies this subsection if—

(a) it is given not less than—

- (i) any length of time before the date on which the notice is to take effect, not exceeding two months, that the landlord has agreed to in writing, or
- (ii) in the absence of agreement under sub-paragraph (i), two months before the date on which the notice is to take effect, and

(b) it is in relation to premises let under a repeat tenancy or, if it is in relation to premises let under any other assured tenancy, it is to take effect—

- (i) no earlier than any time, within the period of six months beginning with the day on which the terms of the tenancy provide for the tenancy to begin, that the landlord has agreed to in writing, or
- (ii) in the absence of agreement under sub-paragraph (i), on or after the last day of the period mentioned in that sub-paragraph.

(1ZB) In subsection (1ZA)(b) “repeat tenancy” means an assured tenancy under which the tenant becomes entitled to possession

of the premises within the period of one month beginning with the day after the last day of a previous assured tenancy—

- (a) under which the same premises were let, and
- (b) which was between the same parties.

(1ZC) A notice to quit satisfies this subsection if it is given not less than four weeks before the date on which it is to take effect.””

Mr Gideon Amos

Not called 66

Clause 19, page 31, line 31, at end insert—

“(aa) where it is given by a tenant who meets the student test under Ground 4A, not less than ten months before the date on which the notice is to take effect;”

Mr Gideon Amos

Not called 67

Clause 19, page 31, line 31, at end insert—

“(aa) where it is given by a tenant in relation to a premises in which they are the first tenants since its construction, not less than twenty-four months before the date on which the notice is to take effect;”

Clauses 19 to 28 agreed to.

Secretary Angela Rayner

Agreed to Gov 12

Matthew Pennycook

Schedule 2, page 174, line 29 at end insert—

“Greater London Council (General Powers) Act 1973

7A In section 25 of the Greater London Council (General Powers) Act 1973 (provision of temporary sleeping accommodation to constitute material change of use), in subsection (2)—

- (a) in paragraph (a), after “person” insert “otherwise than under or by virtue of an assured tenancy”;
- (b) after that paragraph insert—

“(aa) “assured tenancy” means an assured tenancy within the meaning of Chapter 1 of Part 1 of the Housing Act 1988;””

Member's explanatory statement

This creates an exception to the restriction on the provision of temporary sleeping accommodation in residential premises in Greater London for less than 90 days, where occupation of such accommodation is under or by virtue of an assured tenancy agreement.

Secretary Angela Rayner

Agreed to Gov 13

Matthew Pennycook

Schedule 2, page 174, line 31, leave out paragraph 8 and insert—

- "8 The Housing Act 1985 is amended as follows.
- 8A In section 81ZA (grant of secure tenancies in cases of domestic abuse), in subsection (4), in the definition of "qualifying tenancy", in paragraph (b), omit sub-paragraph (i).
- 8B In section 81B (cases where old-style English secure tenancies may be granted), in subsection (2C), in the definition of "qualifying tenancy", in paragraph (b), omit "which is not an assured shorthold tenancy and"
- 8C In section 82A (demotion because of anti-social behaviour)—
 - (a) in subsection (1), omit paragraphs (ba) and (c);
 - (b) in subsection (8), omit paragraph (b).
- 8D In section 171B (extent of preserved right), omit subsection (1A).
- 8E In Schedule 3 (grounds for withholding consent to assignment by way of exchange), in ground 2A, in the definition of "demotion order", omit "or section 6A of the Housing Act 1988".

Member's explanatory statement

This adds further amendments to the Housing Act 1985 to remove the power of private registered providers of social housing and registered social landlords to apply for demotion orders relating to secure tenancies (new paragraph 8C(a)) and otherwise in consequence of the changes made by Part 1 of the Bill.

Mr Gideon Amos

Not called 74

Schedule 2, page 175, line 40, leave out from "claims)," to the end of line 41 and insert "omit subsection (6)"

Member's explanatory statement

This amendment would make all grounds for repossession discretionary.

Secretary Angela Rayner

Agreed to Gov 14

Matthew Pennycook

Schedule 2, page 176, line 2, at end insert—

- “17A In section 15 (limited prohibition on assignment etc. without consent), in subsection (3), omit “a statutory periodic tenancy or”.
- 17B In section 17 (succession to assured tenancy)—
- (a) in subsection (1)(a), omit “periodic”;
 - (b) in subsection (1A)(a), omit “periodic”;
 - (c) omit subsection (1B);
 - (d) omit subsection (1C);
 - (e) in subsection (1D), for “, (1A), (1B) or (1C)” substitute “or (1A)”;
 - (f) in subsection (5), omit “or (1B)(c) above”;
 - (g) in subsection (6), omit “, (1C)”;
 - (h) omit subsection (7).”

Member's explanatory statement

This makes further amendments to the Housing Act 1988 to take account of changes made by Part 1 of the Bill.

Secretary Angela Rayner

Matthew Pennycook

Agreed to Gov 15

Schedule 2, page 176, line 17, leave out paragraph 21 and insert—

- “21(1) Section 39 (statutory tenants: succession) is amended as follows.
- (2) In subsection (5), in the words after paragraph (b), omit “periodic”.
 - (3) In subsection (6)—
 - (a) in the words before paragraph (a), omit “periodic”;
 - (b) in paragraph (d), after the second “tenancy” insert “(but this is subject to section 4A)”;
 - (c) in paragraph (e), for “sections 13 to 15” substitute “sections 13 to 16C”;
 - (d) omit paragraph (f).
 - (4) Omit subsection (7).
 - (5) In subsection (8)—
 - (a) omit “periodic”;
 - (b) after “above)” insert “; and section 24A does not apply in relation to the assured tenancy to which the successor becomes entitled”.
 - (6) For subsection (9) substitute—

“(9) Where, immediately before the predecessor’s death, the predecessor was a tenant under a fixed term tenancy (the “former tenancy”), the following provisions of this subsection apply in relation to the assured tenancy to which the successor becomes entitled on the predecessor’s death (the “new tenancy”)—

- (a) not later than the first anniversary of the date of the predecessor's death, the landlord may serve on the tenant, or the tenant may serve on the landlord, a notice in the prescribed form (a "notice of variation")—
 - (i) proposing terms of the new tenancy, other than terms as to the amount of the rent, that are different from the terms which have effect by virtue of subsection (6)(e) (the "implied terms"), and
 - (ii) if the landlord or the tenant considers it appropriate, proposing an adjustment of the amount of the rent to take account of the proposed terms;
- (b) where a notice of variation has been served under paragraph (a)—
 - (i) within the period of three months beginning on the date on which the notice was served on him, the landlord or the tenant, as the case may be, may, by an application in the prescribed form, refer the notice to the appropriate tribunal under paragraph (c), and
 - (ii) if the notice is not so referred, then, with effect from such date, not falling within the period referred to in sub-paragraph (i), as may be specified in the notice, the terms proposed in the notice shall become terms of the tenancy in substitution for any of the implied terms dealing with the same subject matter and the amount of the rent shall be varied in accordance with any adjustment so proposed;
- (c) where a notice of variation is referred to the appropriate tribunal, the appropriate tribunal must consider the terms proposed in the notice and must determine whether those terms, or some other terms (dealing with the same subject matter as the proposed terms), are such as, in the appropriate tribunal's opinion, might reasonably be expected to be found in an assured tenancy of the dwelling-house concerned, being a tenancy—
 - (i) which begins on the date of the predecessor's death, and
 - (ii) which is granted by a willing landlord on terms which, except in so far as they relate to the subject matter of the proposed terms, are those of the new tenancy at the time of the appropriate tribunal's consideration;
- (d) whether or not a notice of variation proposes an adjustment of the amount of the rent under the former tenancy, where the appropriate tribunal determine any terms under paragraph (c), they must, if they consider it appropriate, specify such an adjustment to take account of the terms so determined;
- (e) in making a determination under paragraph (c), or specifying an adjustment of an amount of rent under paragraph (d), there must be disregarded any effect on the terms or the

- amount of the rent attributable to the granting of a tenancy to a sitting tenant;
- (f) where a notice of variation is referred to the appropriate tribunal, then, unless the landlord and the tenant otherwise agree, with effect from such date as the appropriate tribunal may direct—
- (i) the terms determined by the appropriate tribunal become terms of the new tenancy in substitution for any of the implied terms dealing with the same subject matter, and
 - (ii) the amount of the rent under the statutory periodic tenancy is altered to accord with any adjustment specified by the appropriate tribunal;
- but for the purposes of sub-paragraph (ii) the appropriate tribunal must not direct a date earlier than the date specified, in accordance with subsection (3)(b) above, in the notice of variation;
- (g) nothing in this section requires the appropriate tribunal to continue with a determination under paragraph (c) if the landlord and tenant give notice in writing that they no longer require such a determination or if the tenancy has come to an end.””

Member's explanatory statement

This makes consequential amendments of section 39 of the Housing Act 1988.

Secretary Angela Rayner

Matthew Pennycook

Agreed to Gov 16

Schedule 2, page 176, line 37, at end insert—

“30A In section 124 (introductory tenancies), in subsection (2)(b), omit “, other than an assured shorthold tenancy,”.

30B In section 125 (duration of introductory tenancy)—

- (a) in subsection (3), omit “, or a relevant assured shorthold tenancy,”;
- (b) omit subsection (3A).”

Member's explanatory statement

This adds further amendments to the Housing Act 1996 relating to introductory tenancies to take account of the changes made by Part 1 of the Bill.

Secretary Angela Rayner

Matthew Pennycook

Agreed to Gov 17

Schedule 2, page 177, line 2, at end insert—

“31A In section 143C (change of landlord), in subsection (3), omit “shorthold”.”

Member's explanatory statement

This adds further amendments to the Housing Act 1996 relating to demoted tenancies to take account of the changes made by Part 1 of the Bill.

Secretary Angela Rayner

Agreed to Gov 18

Matthew Pennycook

Schedule 2, page 178, line 23, at end insert—

“(c) in Schedule 1 (demoted tenancies), omit paragraph 2(3).”

Member's explanatory statement

This amends Schedule 1 to the Anti-social Behaviour Act 2003 in consequence of the amendment made to section 171B of the Housing Act 1985 by Amendment 13.

Secretary Angela Rayner

Agreed to Gov 19

Matthew Pennycook

Schedule 2, page 178, leave out lines 25 to 27 and insert—

“45 The Housing Act 2004 is amended as follows.

46 Omit section 75.

47 Omit section 98.

48 In section 116 (general effect of final management orders), in subsection (4)—

(a) in paragraph (a)(ii), omit “(subject to paragraph (b))”;

(b) for paragraph (b) substitute—

“(b) paragraph (a) does not apply to the creation of an interest in the nature of an assured tenancy within the meaning of Part 1 of the Housing Act 1988.”

49 In section 136 (making of final EDMOs), in subsection (5), before paragraph (a) insert—

“(aa) paragraph 2 is to be read as requiring the notice under paragraph 1 to also set out the rights and powers of the authority under paragraph 10(3) of Schedule 7 in connection with a dwelling in relation to which a final EDMO is in force;”.

50 In Schedule 7 (general effect of final EDMOs), in paragraph 10(4)—

(a) in paragraph (a)(ii) omit “(subject to paragraph (b))”;

(b) for paragraph (b) substitute—

“(b) paragraph (a) does not apply to the creation of an interest in the nature of an assured tenancy within the meaning of the Housing Act 1988.”

Member's explanatory statement

This replaces the amendments to the Housing Act 2004 and adds new amendments to the provisions in that Act relating to management orders to take account of the changes made by Part 1 of the Bill.

Secretary Angela Rayner

Agreed to Gov 20

Matthew Pennycook

Schedule 2, page 179, line 4, at end insert—

- “(ba) in section 158 (secure and assured tenancies: transfer of tenancy)—
- (i) omit subsection (3)(b)(i) and the “and” after it;
 - (ii) omit subsection (4)(b) and the “or” before it;
 - (iii) in subsection (8)(b), omit the words “that is not an assured shorthold tenancy”;
 - (iv) in subsection (9)(b), omit the words “that is not an assured shorthold tenancy”;
 - (v) in subsection (10), omit “shorthold”;
- (bb) in section 159 (further provisions about transfer of tenancy under section 158), in subsection (6)(c), for “and “assured shorthold tenancy” have” substitute “has”;

Member's explanatory statement

This adds further amendments to the Localism Act 2011 in relation to the transfer of tenancies to take account of the changes made by Part 1 of the Bill.

Secretary Angela Rayner

Agreed to Gov 21

Matthew Pennycook

Schedule 2, page 179, line 8, at end insert—

“(ea) in section 184 (tenancy deposit schemes), omit subsections (10) to (13);”

Member's explanatory statement

This repeals section 184(10) to (13) of the Localism Act 2011. The repealed provision amends section 215 of the Housing Act 2004 (which is replaced by clause 25(5) of the Bill).

Schedule, as amended, agreed to.

Clauses 29 to 31 agreed to.

Fifth and Sixth Sittings

Clauses 32 to 38 agreed to.

Carla Denyer

Not selected 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

Not called 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.

Clause agreed to.

Clauses 40 to 56 agreed to.

Carla Denyer

Withdrawn after debate 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.

Clause agreed to.

Clause 58 agreed to.

Secretary Angela Rayner

Agreed to 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).

Clause, as amended, agreed to.

Clauses 60 and 61 agreed to.

David Simmonds

Withdrawn after debate 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

Agreed to 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.

Clause, as amended, agreed to.

Clauses 63 to 71 agreed to.

Schedule 3 agreed to.

Clauses 72 to 83 agreed to.

Seventh and Eighth Sitings

Clauses 84 to 97 agreed to.

Mr Gideon Amos

Withdrawn after debate 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

Agreed to 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

Agreed to Gov 25

Matthew Pennycook

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

Member's explanatory statement

This is consequential on Amendment 24.

Clause, as amended, agreed to.

Secretary Angela Rayner

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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

Agreed to 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**Agreed to 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**Agreed to 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.

Schedule, as amended, agreed to.

Clause 99 agreed to.

Carla Denyer**Not called 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.

Schedule agreed to.

Carla Denyer

Withdrawn after debate 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.

Clause agreed to.

Clauses 101 to 141 agreed to.

David Simmonds

Withdrawn after debate 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

Not called 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

Not called 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)."

Clause agreed to.

Clause 143 agreed to.

Schedule 6 agreed to.

Clauses 144 to 146 agreed to.

Ms Stella Creasy

Withdrawn after debate NC1

Alex Sobel
Charlotte Nichols
Nadia Whittome
Dr Simon Opher
Rosie Duffield

Abtisam Mohamed

Carla Denyer

Ellie Chowns

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

Withdrawn after debate 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

Not called 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

Withdrawn after debate 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

Withdrawn after debate 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

Not called 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

Not called 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

Withdrawn after debate 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
Mrs Elsie Blundell

Alex Ballinger
John McDonnell
Mrs Sureena Brackenridge
Claire Hanna
Sammy Wilson
Edward Morello
Anna Dixon
Bell Ribeiro-Addy

Charlotte Nichols
Rosie Duffield
Florence Eshalomi
Peter Lamb
Antonia Bance
Paulette Hamilton
Jim Dickson
Gideon Amos

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.”

Carla Denyer

Not called NC9

To move the following Clause—

“Changes to discretionary licensing

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 60(2), omit “five” and insert “ten”.
- (3) In section 84(2), omit “five” and insert “ten”.
- (4) In section 90(1), at the end of the subsection insert “or its condition and contents”.

Member's explanatory statement

This new clause would increase the maximum duration of discretionary licensing schemes from five to ten years and would enable local authorities operating selective licensing schemes to use licence conditions to improve housing conditions.

Carla Denyer

Withdrawn after debate NC10

To move the following Clause—

“Home adaptations

- (1) The Housing Act 1988 is amended as follows.
- (2) After section 16 insert—

“16A Home adaptations

- (1) It is an implied term of every assured tenancy to which this section applies that a landlord shall give permission for adaptations where a local council has carried out a Home Assessment and recommends adaptations which constitute reasonable adjustments under the Equality

Act 2010. Tenants have the right to appeal a landlord’s refusal to adapt a property.

- (2) This section applies to every assured tenancy other than a tenancy of social housing, within the meaning of Part 2 of the Housing and Regeneration Act 2008.””

Member's explanatory statement

This new clause would ensure that landlords give permission for home adaptations where a Home Assessment has been carried out.

Carla Denyer

Withdrawn after debate NC11

To move the following Clause—

“Rent controls

- (1) The Secretary of State must establish a body to be known as the Independent Living Rent Body within 12 months of the date of Royal Assent to this Act.
- (2) The “proposed rent” referred to in section 55(2) must be no more than an amount set by the Independent Living Rent Body.
- (3) The amount referred to in subsection (2) must be calculated as a function of property size, quality, local incomes, location, and such other criteria as the Independent Living Rent Body sees fit.”

Alex Sobel

Not moved NC12

Abtisam Mohamed
Ms Stella Creasy
Nadia Whittome

To move the following Clause—

“Limit on rent in advance of tenancy

In Schedule 1 to the Tenant Fees Act 2019, after paragraph (1) insert—

- “(1A) But if the amount of rent payable in advance of any period of the tenancy exceeds the equivalent of three month’s rent, the amount of the excess is a prohibited payment.””

Member's explanatory statement

This new clause renders it unlawful for a landlord to demand or accept more than three month’s rent in advance in respect of a tenancy or licence of residential accommodation.

Alex Sobel

Not moved NC13

Ms Stella Creasy
Nadia Whittome

To move the following Clause—

“Signature of lease for student accommodation

Where a tenant meets the student test set out in paragraph 10 of Schedule 1, the relevant tenancy agreement may not be signed before 1 March in the year in which the tenancy is intended to take effect.”

Member's explanatory statement

This new clause would prevent student leases being signed before March in the year in which they are intended to commence.

Alex Sobel

Not called NC14

Abtisam Mohamed
Ruth Jones
Ms Stella Creasy
Carla Denyer
Nadia Whittome

To move the following Clause—

“Restrictions on the requirement for tenants to provide a guarantor

- (1) A relevant person must not, in any of the circumstances set out in subsection (3), require a person, as a condition of the grant of a relevant tenancy, to provide a guarantor in relation to the observance or performance of the tenant's obligations under the tenancy.
- (2) For the purposes of this Act, requiring a person to provide a guarantor includes accepting an offer by that person to provide a guarantor.
- (3) The circumstances are—
 - (a) that the person has paid a tenancy deposit or has been assisted under a deposit scheme;
 - (b) that the person is required to pay rent in advance equivalent to one month's rent or more;
 - (c) that on a reasonable assessment of their means the person's income (including state benefits received and any other lawful source of income) is sufficient to enable them to pay the full rent due under the tenancy;
 - (d) that arrangements will be made for housing benefit or the housing element of universal credit to be paid directly in respect of rent to the relevant person;
 - (e) that the relevant person has entered into a contract of insurance under which they are insured against non-payment of rent; or
 - (f) such other circumstances as may be prescribed in regulations made by the Secretary of State.
- (4) In any other case where a relevant person lawfully requires a person, as a condition of the grant of a relevant tenancy, to provide a guarantor, the sum for which the guarantor may become liable under the relevant guarantee shall not exceed a sum equal to six months' rent.

- (5) In any case where a relevant person requires a tenant, as a condition of the grant of a relevant joint tenancy, to provide a guarantor, the sum claimed under the guarantee shall not exceed such proportion of the loss as is attributable to the act or default of the individual tenant on whose behalf the guarantee was given; and if such proportion cannot be proved, shall not exceed the sum obtained by dividing the total loss by the number of tenants.
- (6) In this section—
- “guarantor” is a person who enters into a guarantee in relation to a relevant tenancy;
 - “guarantee” is a contractual promise to be responsible for the performance of an obligation owed by the tenant to a relevant person under the tenancy if the tenant fails to perform the obligation;
 - “deposit scheme” includes a scheme whereby a sum payable by way of depositor a bond or guarantee is provided by a local authority, registered charity or voluntary organisation for the purpose of providing security to a landlord for the performance of a tenant’s obligations under a tenancy;
 - “tenancy deposit” has the same meaning as in section 212(8) of the Housing Act 2004.”

Member's explanatory statement

This new clause would restrict the circumstances in which a landlord can request a guarantor.

Bill, as amended, to be reported.

Glossary

Added: New Clause agreed without a vote and added to the Bill.

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

Negated on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.