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# B I L L

[AS AMENDED IN COMMITTEE]

TO

Make provision about the rights of renters.

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

## 1 Tenants' access to the database of rogue landlords and property agents

- (1) The Housing and Planning Act 2016 is amended as follows.
- (2) In section 39 (use of information in database), leave out subsections (2) and (3) and insert—

“(2) A local housing authority is required to give access to the database to a tenant or a person seeking a tenancy.” 5

## 2 Ending of certain lettings fees for tenants

- (1) The Landlord and Tenant Act 1985 is amended as follows.
- (2) After section 30B insert—

### “30C Letting fees for tenants 10

- (1) A letting agent who, in connection with the grant, renewal or continuance of a residential tenancy, requires from the tenant the payment of any premium shall be guilty of an offence under this section.
- (2) In subsection (1), “premium” means any fine, sum or pecuniary consideration, other than the rent or deposit, and includes any service or administration fee or agency charge. 15
- (3) In subsection (2), “deposit”, in relation to a residential tenancy, means any money intended to be held (by the landlord or otherwise) as security for— 20

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- (a) the performance of any obligations of the tenant, or
- (b) the discharge of any liability of the tenant, arising under, or in connection with, the tenancy.
- (4) The Secretary of State may by regulations specify the categories of sum which are not to be treated as a premium for the purposes of this section; and the maximum amount which tenants may be asked to pay in respect of such a sum.” 5
- 3 Mandatory electrical safety checks**
- (1) Section 122 of the Housing and Planning Act 2016 (electrical safety standards for properties let by private landlords) is amended as follows. 10
- (2) In subsection (1), for “may by regulations impose duties on a private landlord of residential premises in England” substitute “must lay before each House of Parliament a draft of regulations which impose duties on a private landlord of residential premises in England or the landlord’s agent (or both)”.
- (3) In subsection (3), leave out “may” and insert “or the landlord’s agent (or both) in the draft regulations must”. 15
- (4) After subsection (4) insert –
- “(4A) Mandatory checks must be undertaken at least every five years.”
- (5) In subsection (5), after “landlord” insert “or the landlord’s agent (or both)”.
- 4 Prevention of rogue landlords from obtaining an HMO licence** 20
- (1) The Housing and Planning Act 2016 is amended as follows.
- (2) In section 39(4), at end insert –
- “(f) in order to ascertain that, due to being on the database, a landlord may not be granted an HMO licence.”.
- 5 Extent, commencement and short title** 25
- (1) This Act applies to England only.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Renters’ Rights Act 2016.

# Renters' Rights Bill [HL]

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To make provision about the rights of renters.

*Baroness Greener*

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