

Tenant Fees Bill

SECOND
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Schedule 1

BARONESS GRENDER
BARONESS THORNHILL

27 Page 25, line 8, leave out from “exceeds” to end of line 13 and insert “£50, the amount of the excess is a prohibited payment.”

LORD KENNEDY OF SOUTHWARK

28 Page 25, line 13, at end insert –
“() Sub-paragraph (1) does not apply to a variation of a tenancy agreement in respect of a change of tenant.”

BARONESS GRENDER
BARONESS THORNHILL
LORD KENNEDY OF SOUTHWARK

29 Page 25, line 20, at end insert –
“() But if the landlord does not deal reasonably with any request for an early exit, including taking reasonable steps to re-let the property, then the payment shall be a prohibited payment.”

30 Page 25, line 22, leave out “as a result of the termination of the tenancy” and insert “during the period that would reasonably be required to find a new tenant”

LORD KENNEDY OF SOUTHWARK

31 Page 26, line 3, at end insert –
“() In the case of a payment to a landlord, such a payment is a permitted payment only if the landlord is required by the tenancy agreement to review the contract or contracts annually and make arrangements to switch tariffs or suppliers if this would be beneficial to the tenant.”

Schedule 1 - continued

- 32 Page 26, line 3, at end insert—
- “() But, in the case of a payment to a landlord, if the amount of the payment exceeds the reasonable costs incurred by the landlord for or in connection with the provision of the service, the amount of the excess is a prohibited payment.”

BARONESS GARDNER OF PARKES

- 32A Page 26, line 29, at end insert—
- “Payment in respect of identity and immigration status checks*
- 11 (1) A payment for or in connection with the costs associated with carrying out identity and immigration status checks on the tenant is a permitted payment.
- (2) But, in the case of a payment to a landlord, if the amount of the payment exceeds the reasonable costs incurred by the landlord for or in connection with the provision of the identity and immigration status checks, the amount of excess is a prohibited payment.
- (3) In sub-paragraph (1), a check on the immigration status of the tenant means the conduct of checks by the landlord pursuant to ensuring compliance with section 22 of the Immigration Act 2014.”

Schedule 2

LORD KENNEDY OF SOUTHWARK

- 33 Page 27, line 27, leave out paragraph 7
- 34 Page 27, line 38, after “tenant” insert “knowingly”
- 35 Page 28, line 1, leave out paragraph 9
- 36 Page 28, line 19, at end insert—
- “ Where paragraph 3(b) or (c) does not apply, the landlord or agent must set out the specific reasons for the exception in written correspondence to the tenant which must include—
- (a) the relevant paragraph under which the requirement to repay the holding deposit does not apply;
 - (b) any information provided by the tenant that the landlord or letting agent believe to be false or misleading;
 - (c) information about where the tenant can obtain the Government’s guidance to check if the decision is fair; and
 - (d) information about how the tenant can challenge the decision.”

BARONESS GRENDER
BARONESS THORNHILL

37 Page 28, line 19, at end insert –

“ In Paragraphs 10(a), 10(b), 11(a) and 11(b) of this Schedule, “all reasonable steps” includes but is not limited to providing the tenant, upon receipt of the holding deposit, with a draft tenancy agreement that contains no unfair terms as defined in the Consumer Rights Act 2015.”

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16 November 2018
