

# Managing residential property update focusing on the Renters' Rights Bill

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Willans LLP solicitors

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# Bethen Abraham

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# Legal changes to consider following the budget announcement and the Renters' Rights Bill

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## Elements of the proposed Bill to be covered today

- Notice periods
- Key new grounds
- Recovering possession
- Additional maintenance requirements
- Access requirements
- Rent increases



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# Notice Periods – Key Grounds

Ground	Notice period
<ul style="list-style-type: none"><li>• Selling the property</li><li>• Landlord or family member requires property to live in</li><li>• Intention to demolish / reconstruct property</li></ul>	Four months from the date of service
<ul style="list-style-type: none"><li>• Tenant has died</li><li>• Suitable alternative accommodation available</li></ul>	Two months from the date of service
<ul style="list-style-type: none"><li>• Rent arrears</li><li>• Persistent late payment</li></ul>	Four weeks from the date of service
<ul style="list-style-type: none"><li>• Anti-social behaviour</li><li>• Breach of tenancy</li><li>• Deterioration of property</li></ul>	Two weeks from the date of service



# Key notice period changes

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## Grounds for rent arrears – 8, 10 and 11

- Increased notice period – four weeks
- In line with most tenancy periods
- 3 months arrears

## Ground for anti-social behaviour - 14

- Increased notice period – two weeks
- Big increase
- Same notice period as breach of tenancy or deterioration of property



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# Key notice period changes

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## New grounds

- Landlord wants to sell the property
- Landlord/landlord's family member wants to live in the property
- 4 months' notice period
- Cannot use for the first 12 months of the property
- Selling – cannot let for 12 months
- Penalties of up to £7,000



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# Notices changing

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## No more Section 21 notices

- Section 8 notices only
- More prescriptive
- More description required
- Easier to get wrong
- Relied on if proceedings are issued
- Positive new grounds
- Positively more procedural as to what is expected of all parties



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# Compliance

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## Compliance with current obligations

- Unclear
- Anticipated that this will be added
- Deposit rules will apply save for to some grounds like anti-social behaviour



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# Maintenance requirements – Awaab’s Law

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## Impact of this extension

- All 29 of the HHSRS hazards will apply
- Prescribed timeframe
- 14 days to investigate the reported defect from first being told about it
- 2 days to prepare and provide a report
- 7 days to commence works, if hazard identified
- Reasonable period to complete works



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# Emergency maintenance requirements – Awaab’s Law

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## Impact of this extension

- Emergency – “significant and imminent risk of harm”
- 24 hours to commence works
- If the property cannot be made safe, required to offer temporary accommodation or a decant



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# Access to comply with Awaab's Law

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## Access not authorised by tenant

- Not uncommon for tenants to refuse access
- 3 attempts to arrange access
- 3 attempts to gain access at the agreed times
- Keep records



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# Rent increases

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## Impact of proposed reforms

- Designed to reduce bidding wars – banned!
- Annual rent increases
- Section 13 notices only
- Notice must be given 2 months before it takes effect and must coincide with the beginning of a new period of the tenancy – complicated!
- Challenge by applying to the FTT Market rent
- Big change – rent can only be the lower of a) the market rent or b) the landlord's proposed rent



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# Notable impacts

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## Impact of proposed reforms

- No accelerated claim process = more hearings
- More hearings = longer court waiting times?
- Fairer market rent
- Prescription requirements for access attempts
- Generally easier to recover possession for selling
- More grounds for possession
- No fixed terms



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# Summary

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## What should you be telling your clients?

- Ensure tenancy agreements reflect these change - we can help with this!
- Be cautious of the new notice periods
- Keep detailed records of contact
- Get advice at an early stage if unsure
- Don't panic!



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# Katie Charlton

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# Case update

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## *D'Aubigny v Khan & Anor (2025)*

- Why was this case appealed?
- Whether service by post was deemed served – service clauses
- Denying receipt
- Definition of notice - letters
- Safest way forward



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It is not intended to be a substitute for formal advice from the appropriate person in the organisation to a client under the terms of a suitable signed engagement letter.

# Q&A

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# If you want to know more...

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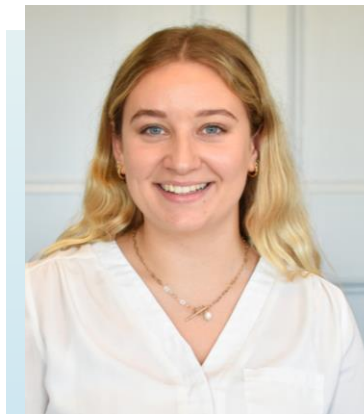
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