

**REPORT TO:** Housing and Safer PPB

**DATE:** 16<sup>th</sup> September 2025

**REPORTING OFFICER:** Director of Public Health

**PORTFOLIO:** Housing and Environmental Sustainability

**SUBJECT:** Improving Housing Standards in the Private Rental Sector: The Renters' Rights Bill

**WARD(S)** Borough wide.

## 1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide members with an update on the current measures in place to enforce standards in the Private Rental Sector and the new measures proposed in the Government's Renters' Rights Bill.

## 2.0 RECOMMENDATION: That the report be noted.

## 3.0 SUPPORTING INFORMATION

- 3.1 There has been a steady increase in the number of private rental properties in the borough in recent years. The 2011 census reported that 11% of households were in the private rental sector. This rose to 14% by the 2021 census. A 2024 study by Metastreet, a housing research consultancy commissioned by the Council, estimated that there are 11,486 dwellings in the private rental sector which represents 19% of the borough's housing stock.

Table 1. Number of households & dwellings by tenure 2011, 2021 & 2024 (Source: ONS & Metastreet 2024)

Tenure	2011 (Households)	2021 (Households)	2024 (Dwellings)
PRS	5,753	8,063	11,486
Social	13,441	13,619	14,122
Owner Occupation	34,118	34,269	35,062
Totals	53,312	55,951	60,670

- 3.2 These figures reflect national factors including the cost of living and the lack of available social rental properties. This mean many households who are unable to buy their own home have little choice but to rent privately.

- 3.3 The 2024 Meta Street study predicted that around 4000 properties in the private rental sector in Halton had at least 1 serious housing hazard.
- 3.4 The Council's Environmental Health team received 172 complaints about housing conditions in the previous year. This indicates there is currently significant under reporting of housing conditions by tenants in the private rental sector. It is hoped that the measures set out in the renters rights' bill will provide greater protection for tenants and make them more confident to report property defects. Further measures to proactively improve standards in the private rental sector will be set out in the Council's housing strategy which is currently undergoing consultation.
- 3.5 Houses in Multiple Occupation form part of the private rental sector. Houses with 5 or more tenants require a license. There are currently 127 licensed HMO's in the borough. The Council know of an additional 73 smaller HMO's that do not require a license. The full number of smaller unlicensed HMO's is unknown as there is currently no requirement for the landlord to notify the Council. It is acknowledged that there are concerns amongst the public and elected members about HMO's. However, they do provide a valuable contribution to the housing market providing much needed accommodation for single person households. The recent Housing Needs Assessment identified that 35% of households in the private rental sector are single person households. Further potential measures to control HMO's will be set out in the Council's housing strategy which is currently undergoing consultation.
- 3.6 The policy section below will set out the current law and policy in place to help the Council enforce property standards and protect tenants. The report will then go on to set out the changes expected in the Governments forthcoming renters rights' bill. It is anticipated these measures will significantly strengthen protection for tenants alongside a longer term aim to raise standards in private rented accommodation.

#### 4.0 **POLICY IMPLICATIONS**

##### 4.1 **Current Housing Standards Provisions**

###### 4.1.1 **Housing Health and Safety Rating Scheme (HHSRS)**

The scheme applies to all private rental properties including HMO's. It is used by local Councils to assess the impact on the health, safety and welfare of tenants from 29 specified hazards that may be present in a property. Examples include, damp and mould, excess cold and fire safety. If any of these hazards are present, they are assessed to determine if they are category 1 or category 2. Category 1 hazards pose a serious risk to the health and safety of the occupants, and a local authority is under a duty to take appropriate enforcement action. Category 2 hazards are less serious, and a local authority has discretion to determine if enforcement action is required.

4.1.2 In addition to the HHSRS landlords are required to:

- Inspect and maintain the gas installation.
  - Inspect and maintain the electrical installation.
  - Provide smoke and carbon monoxide alarms.
  - Provide an Energy Performance Certificate before the property is let.
- Properties must have a minimum energy efficiency rating of E.

4.1.3 **Mandatory HMO Licensing**

HMO properties with 5 or more residents must be licensed and comply with a number of mandatory conditions relating to standards and amenity. These include room space standards, the provision of adequate kitchen and bathroom facilities and fire safety precautions. All HMOs must also comply with the HHSRS. The Council has adopted a set of amenity standards setting out in detail the standards that HMOs must meet in order to obtain a license.

4.1.4 **Enforcement powers**

The current law provides the Council with a range of enforcement powers to protect tenants and ensure landlords comply with their duties. These include improvement notices, prohibition notices and civil penalty notices. The Council also has powers to investigate and take action against illegal eviction and harassment. As a last resort the Council can also prosecute landlords for serious or persistent offending.

4.2 **Renters' Rights Bill**

The Government have announced a number of significant measures to strengthen the rights of tenants and improve standards in the private rental sector. The measures are being progressed through Parliament in a bill known as the "renters' rights bill". The bill is due to receive Royal Assent and become law this Autumn 2025. However, the government have indicated that implementation will be phased over a number of years. The known implementation timetable will be set out below alongside a summary of the measures.

4.2.1 **End of "no fault" evictions.**

The government have announced their intention to provide greater security to tenants in the private rented sector by ending "no fault" evictions. Currently a landlord can issue a "section 21 notice" providing the tenant with two months notice of eviction without having to cite a reason. Once the new law comes into force landlords will only be able to seek possession of the property for a number of existing specified reasons, e.g. serious rent arrears, anti social behaviour or property damage. A landlord will still be able seek possession of a property in order to sell it. However, they will not be able to relet it for rent for a period of 6 months. It is currently unclear what impact the end of no-fault evictions will have. It could lead to an increase in attempts at illegal evictions or landlords may seek possession of the property by claiming one of the legitimate reasons.

4.2.2 **Tenancy agreements**

New laws will end assured short term and fixed term tenancies. Instead, all tenancies will become periodic and will last until the tenant chooses to end the tenancy, or until the landlord seeks eviction for one of the valid reasons set out above. All tenancies must last for a minimum of 12 months instead of the current 6 month term. These measures will provide further security of tenants.

**4.2.3 Unfair and discriminatory letting practices.**

New laws will prevent unfair and discriminatory letting practices. Landlords and managing agents will no longer be able to invite rental bidding. Properties must be let for the advertised market rent. Landlords and agents will no longer be able to ask for more than the first months rent in advance. Landlords and agents will not be able to unfairly discriminate against tenants for example those in receipt of benefits or families with children.

**4.2.4 Unfair rent increases**

The law will prevent landlords imposing unfair rental increases. Landlords will only be able to raise rent once within a 12 month period. The rent after any increase should not exceed the current market rate. Unfortunately, unlike the other provisions which can be enforced by the Council, the onus will be on the tenant to refer any unfair rental increase to the new Private Sector Landlord Ombudsman.

**4.2.5 Private Sector Landlord Ombudsman**

The government will create a Private Sector Landlord Ombudsman to consider and resolve disputes between landlords and tenants. It will be a legal requirement that all landlords sign up to the Ombudsman scheme. Landlords will be required to pay a fee for registration. Landlords who operate through a managing agent will also be required to register. It will become an offence for landlords to let a property if they have not first registered with the landlord ombudsman. The ombudsman will consider complaints made by tenants about their landlord's actions or behaviour. Tenants can raise a complaint for free. The ombudsman can require landlords to issue an apology, provide information and take remedial action.

**4.2.6 Private sector landlord database.**

All landlords will be required to register themselves and each of their properties on a private sector landlord database. It will be an offence for landlords to rent a property unless they and the property are registered. Local authorities will enforce these provisions and will be able to issue civil penalties of between £7000 and £40,000 for noncompliance. Landlords who register will receive comprehensive advice and guidance on their legal responsibilities. The Council will have access to this database which will provide far greater insight into the location, number and distribution of private rental properties including smaller unlicensed HMOs. The database will assist the Council with any enforcement action by enabling the Council to easily identify the landlord responsible for any property.

#### 4.2.7 **Implementation timeline: tenancy reform, ombudsman and database**

The government have not provided a specific timescale for implementation of these provisions. The guidance appears to suggest implementation will be as soon as possible after Royal Assent; however, the guidance also acknowledges that landlords will need time to adjust to the requirements. Therefore, these provisions are unlikely to take effect until sometime during 2026.

#### 4.2.8 **Awabbs Law**

The case of Two Year old Awabb Ishak has had a profound impact on housing standards and the Government's approach to regulating the social and private rental sectors. Awabb died in December 2000. The coroner ruled his death was due to prolonged exposure to mould spores caused by damp and mould in the social rented property he shared with his parents in Rochdale.

4.2.9 In 2023 the previous governments announced it would introduce "Awabbs Law" in order to prevent similar deaths in the future.

4.2.1 The law which comes into force in October 2025 will require social  
0 landlords to fix dangerous damp and mould conditions within a set time limit. They will also need to respond to emergency repairs within 24 hours.

4.2.1 The current Government have announced that the renters' rights bill will  
1 extend Awabbs law to the private rented sector, however the proposal will be subject to consultation therefore there is currently no implementation date.

#### 4.2.1 **Decent Homes Standard**

2 The Decent homes standard currently applies to the social rented sector. The Government is currently consulting on amendments to the Decent Homes Standards. The Government have announced that it is their intention, through the renters' rights bill, to extend the Decent Homes Standard to the Private Rental Sector.

4.2.1 The updated Decent Homes Standard will contain 5 Criteria. The  
3 Government will provide further detailed guidance on each criteria.

##### 4.2.1 **Criteria A**

4 Property must be free of Category 1 Hazards when assessed against the Housing Health and Safety Rating Scheme – see 4.1.1.

##### 4.2.1 **Criteria B**

5 Homes meet a reasonable state of repair.

##### 4.2.1 **Criteria C**

6 Homes to have reasonably modern facilities and services.

- 4.2.1 Criteria D  
7 Homes to provide a reasonable degree of thermal comfort.

- 4.2.1 Criteria E  
8 Home to be free of Damp and Mould

The government have announced that reforms to the Decent Homes Standards will not be introduced until 2035 or 2037. The government state this to provide landlords with clarity on the long-term future of regulation.

4.2.19 **Minimum Energy Efficiency Measures**

In addition to the reforms set out in the Renters' Rights Bill the Government is currently consulting on amendments to the Minimum Energy Efficiency Standards for rental properties. It is currently a legal requirement that all rental properties meet an energy efficiency standard of E. Landlords must ensure the property they rent has an energy performance certificate. It is illegal to rent a property that does not achieve a minimum rating of E. The Government are consulting on raising the minimum standard to C by 2030.

4.3 **Enforcement and Investigatory Powers**

The Government have announced that the measures will be underpinned with a robust enforcement framework. Local Councils will be able to issue civil penalty notices of between £7000 and £40,000 for breaches of the requirements. These powers will be in addition to existing powers within housing legislation such as improvement notices and prohibition notices.

4.3.1

The government have also announced that Councils will be provided with investigatory powers modelled on those powers provided to Trading Standards teams. Housing Standards enforcement work is currently undertaken by the Environmental Health Team within the Public Protection and Regulatory Services Division. The Trading Standards service also sits within this division enabling a co-ordinated approach to enforcement and investigations.

4.4 **Support for Tenants and Landlords**

The Environmental Health Team will continue to work alongside the Council's Housing Solutions Team to ensure a co-ordinated approach to regulating the private rental sector and implementing the renters' rights bill. The Housing Solutions Team will continue to advocate for tenants in both the private and social rented sectors and liaise with landlords to prevent homelessness and illegal eviction. Responsible landlords will be encouraged to join a new landlord accreditation scheme. Cases relating to property standards or that require enforcement or investigation will be referred to the Environmental Health Team.

4.5 **Boroughwide Housing Strategy**

These new national provisions will be implemented alongside any actions to implement the boroughwide housing strategy. At the time of writing this report a stakeholder consultation on the draft housing strategy has concluded, with the formal consultation anticipated to commence in late August 2025 and conclude in October 2025. The result of this consultation will be incorporated into the final version. It is anticipated the strategy will be presented to Executive Board for approval in October 2025. The Housing Strategy sets out how the Council will work with key partners to ensure all residents have access to healthy, affordable and sustainable homes.

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 It is difficult to assess the full financial and resource implications at this stage without further detailed guidance and a clear implementation timeline from Government. The Government have indicated that local authorities will receive new burdens funding to assist with implementation, however so far no details of funding have been provided. The Government also intend Councils to retain any sums recovered through civil penalty notices. Until a clear picture of compliance rates emerges it is difficult to assess how much income from non-complaint landlords will be achieved. If rates of non-compliance with the new requirements are high current resources are unlikely to be sufficient and additional resources will be required.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence**

The new renters' rights bill provisions, alongside the borough's housing strategy, are intended to provide safe healthy and sustainable homes to ensure residents can live independently for longer in their own home.

### **6.2 Building a Strong, Sustainable Local Economy**

The provisions of the renters' right bill aim at addressing problems with the current private sector letting market. Addressing these issues through tenancy and rental reforms will ensure tenants and responsible landlords are protected from the activities of irresponsible and unfair letting practices.

### **6.3 Supporting Children, Young People and Families**

The new renters' rights bill provisions, alongside the borough's housing strategy, are intended to provide safe healthy and sustainable family homes. Children are more vulnerable to respiratory illnesses caused by damp and mould growth and will benefit from the proposals set out in the bill and the decent homes standard.

### **6.4 Tackling Inequality and Helping Those Who Are Most In Need**

The renters rights' bill provisions, alongside the borough's housing strategy, will ensure those who are unable to buy their own property, or

secure a housing association home, will be provided with the same protections as social landlord tenants. Tenants in the private sector will benefit from more secure tenure and will be protected from unfair and discriminatory rental practices.

**6.5 Working Towards a Greener Future**

Provisions within the renters rights bill and the housing strategy are aimed at improving the environmental sustainability of homes through improved energy efficiency. The government is currently consulting on increasing the minimum energy efficiency standard for private rental properties to Band C by 2030.

**6.6 Valuing and Appreciating Halton and Our Community**

Providing more secure tenancies, and improved property standards, will enable tenants to remain within their established communities near family, schools and their place of work, and avoid the upheaval caused by short term tenancy agreements and no fault evictions.

**7.0 RISK ANALYSIS**

- 7.1 As set out in the finance section above there is a risk current resources will not be sufficient to implement these proposals if rates of non-compliance are high. The Government have indicated additional financial resources will be made available however no detail has been provided. Without clear guidance and an implementation timeline from Government it is not possible to fully assess the risk from these measures.

**8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 The provisions in the renters' rights bill are intended to address discriminatory rental practices and ensure that tenants in the private rental sector are provided with the same rights and protections as tenants in the social rented sector.

**9.0 CLIMATE CHANGE IMPLICATIONS**

- 9.1 Improving the energy efficiency of homes to reduce fossil fuel consumption reduces greenhouse gas emissions. There are provisions within the renters' rights bill and the decent homes standards to improve energy efficiency of homes whilst ensuring homes have adequate thermal comfort.

**10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

'None under the meaning of the Act.'