



Renters' Rights Bill: amendment to the National Landlord Database (7)

Amendment: to outline various details to be included in the Private Rented Sector Database

Clause 75, page 100, after sub-clause 75(2) insert (and re-number the following clauses):

“(3) The regulations shall require the following information or documentation to be provided in respect of a landlord entry:

- (a) The address and contact details of the landlord;
- (b) The address and contact details of the managing agent;
- (c) Details of each rented property owned by the landlord;
- (d) Details of any enforcement action relating to landlord and tenant law that the local authority has taken against the landlord;
- (e) Details of any enforcement action relating to landlord and tenant law that the local authority has taken against the managing agent;
- (f) Details of any banning orders and/or rent repayment orders that have been made against the landlord;
- (g) It appears to the tenant that the landlord has failed to carry out the works necessary to remedy any such breaches within the timeframes set out by Regulations made by the Secretary of State under s.10A(3) Landlord & Tenant Act 1985.

(4) The regulations shall require the following information or documentation to be provided in respect of a dwelling entry:

- (a) The address and contact details of the landlord;
- (b) The address and contact details of the managing agent;



- (c) Details of any notices given to the tenant under section 8 of the Housing Act 1988, including the ground(s) relied upon;
- (d) Details of the rent that was payable at the commencement of the tenancy;
- (e) Details of any increase(s) in the rent;
- (f) Details of the energy performance certificate(s) required by regulation 6(5) of the Energy Performance of Buildings (England and Wales) Regulations 2012;
- (g) Details of the gas safety certificate(s) required by regulation 36 of the Gas Safety (Installation and Use) Regulations 1998;
- (h) Details of the electrical safety report(s) required by the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2010;
- (i) Details of the checks required under Regulation 4(1)(b) of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015; and
- (j) Details about any features of the dwelling relevant to accessibility for people with disabilities”.

Effect of amendment

This amendment seeks to introduce specific requirements for landlord, agent and automatic entries to the Private Rented Sector Database. To summarise the above, the amendment sets out that the database should include:

- Contact and address details of all landlords and their managing agents, and details of each of their properties.
- Details of past enforcement action against landlords and agents, and any Rent Repayment Orders and banning orders.
- Any eviction notices (and, therefore, use of eviction grounds), to enable identification of any potential abuses of the grounds.
- Basic safety information, including a gas safety certificate, Electrical Installation Condition Report (EICR) and proof of smoke and carbon monoxide alarms, and be joined up with the government’s register of Energy Performance Certificates (EPCs).



- Up-to-date information about the rents that landlords and housing management agents charge for properties. This data would provide valuable insight into the affordability crisis in renting and help local authorities target their resources to areas most in need.
- Information about the accessibility features of the property.

INTRODUCTION

The private rented sector in England is characterised by a significant lack of information in local rental markets. The Renters' Rights Bill introduces the framework and legislative powers to establish a Private Rented Sector Database to address these challenges.

The Bill, as it stands, would make it mandatory for landlords to be registered on the database, introduce fines and penalties for neglecting to make entries or keep information up-to-date, and place limits on gaining possession of a property without maintaining up to date entries. However, there is much more that is needed to make the database fit for purpose. **86% of private renters say they would be likely to use publicly accessible register of landlords that allowed prospective tenants to check things such as essential safety standards and complaints¹.**

TO WORK EFFECTIVELY, THE DATABASE MUST BE COMPREHENSIVE

The Tenancy Deposit Scheme Charitable Foundation's research found that **many tenants do not know who their landlord is**. As it stands, tenants have limited means to assess prospective landlords and understand who they will be renting from before entering into a contract with them, nor the conditions and standard of the property.

Local authorities' enforcement teams spend already scarce staff time and resources gathering information about landlords and agents in their areas – resources that could be better spent conducting actual enforcement action.

Further, while the Bill introduces important new duties and powers for local authorities, a lack of data available to local authorities and particularly, to the public, could mean that unscrupulous landlords do not feel sufficiently disincentivised from continuing to flout laws and their responsibilities to their tenants. The Bill leaves much of the detail on the contents and functions of the database to secondary legislation or future policy making. However, it is important that the government sets out in parliament the minimum expectations for key functions and requirements

¹ Shelter/YouGov survey of 4,023 private renters in England. Fieldwork was undertaken between 14th July - 16th August 2023. The survey was carried out online. The figures have been weighted and are representative of all private renters adults (aged 18+).



for landlord and agent entries on the portal in its first phase of development. The purpose of this amendment is to specify in primary legislation the minimum expectations.

THE DATABASE COULD ENSURE EFFECTIVE IMPLEMENTATION OF THE BILL

A fully functioning, detailed database has the potential to drive up standards in private renting and ensure the rights and regulations in the Bill are implemented effectively. This amendment would ensure that the database can:

1. Tackle information imbalances between landlords and tenants and increase transparency in the sector.
2. Connect the database to other key reforms within the bill, such as changes to the possession system. This would make enforcement more automated and support local authority enforcement processes.
3. Provide vital information about standards, practices and affordability in the private rented sector, which could guide local strategies and national private rented sector policy making.

Without sufficient data and the ability to use the database in connection with other rights afforded in the Renters' Rights Bill, tenants and local authorities will not be able to make use of the database to genuinely enhance standards in the sector and hold landlords and agents to account for poor or unlawful practice.

At worst, the database could become an additional burden for local authority enforcement teams to maintain and monitor – if it does not provide data that is valuable enough to make enforcement of existing rights easier and more cost effective.

WHAT NEXT FOR THE NATIONAL LANDLORD REGISTER?

Help to ensure that the Private Rented Sector Database is as effective as possible in driving up standards in the PRS by adding your name onto and supporting amendment 7, tabled by Paula Barker MP, which outlines minimum expectations for a fully functioning database.

If you would like to discuss the Renters' Rights Bill with Shelter, please feel free to contact us at public_affairs@shelter.org.uk.