



Renters' Rights Bill: Consideration of Amendments

INTRODUCTION

A year after the government promised to scrap Section 21 "immediately" and deliver security for renters, thousands continue to be evicted under this unfair and damaging system. **Between July 2024 and June 2025, 11,400 households were removed from their homes by bailiffs as a result of a Section 21 'no-fault' eviction notice.**

The Renters' Rights Bill is now in its final stages. The Bill becoming law will mark the most significant reform to private renting in decades – but renters will not be secure in their homes until the Bill is not only passed into law but fully implemented.

Shelter is calling on the government to:

- Pass the Renters' Rights Bill into law without further delay.
- Set the commencement date – when Section 21 is abolished and other reforms will take effect – no longer than three to six months from the date of Royal Assent.
- Publicly confirm the commencement date at the time of Royal Assent, to ensure renters, landlords and support services can prepare fully and begin to communicate clearly with the public as soon as possible.

After repeated delays and false starts, renters deserve clarity, urgency, and strength in delivery. Shelter is also urging MPs and peers to resist damaging amendments made in the House of Lords that risk undermining core policies and protections for renters in the Bill. In particular, Shelter strongly opposes:

1. **Amendments 26 and 27: increasing the evidence bar for all civil penalty offences to the criminal standard of proof.** Core reforms in the Bill, including the landmark prohibitions on discrimination against housing benefit recipients and families, will be rendered almost unenforceable as a result of this change.
2. **Amendment 18: reducing the no reletting ("restricted") period from 12 to 6 months.** Recent high-profile cases have demonstrated how easily landlords will be able to use eviction for sale grounds disingenuously, only to relet the property at a higher rent, if the restricted period is set too short.
3. **Amendment 6: introducing Secretary of State powers to change the date at which the new rent is payable following rent tribunal decisions.** This would create a major disincentive for renters with a genuine case to challenge rent increases and will undermine the governments promise to "empower" renters to challenge unreasonable rent hikes.

THE NEED TO PASS AND IMPLEMENT THE BILL QUICKLY



- 1.1 **Each month that Section 21 remains in force, nearly 1,000 households could be removed from their homes by bailiffs following a no-fault eviction notice.** Between July 2024 and June 2025, over **30,000 eviction notices** were issued, and **11,400 households were removed from their home by bailiffs.** Without swift passage and implementation, thousands more face homelessness unnecessarily.
- 1.2 As the Bill enters its final stages, it is vital that MPs and Peers understand that **renters will not be secure in their homes until the Bill is passed and implemented.** The Government must not only deliver the legislation, but also ensure it takes effect quickly and clearly.
- 1.3 Shelter is calling for a **commencement date of three months from Royal Assent**, and for that date to be **publicly confirmed at the point of Royal Assent.** This will give renters, landlords, and services the clarity they need to prepare – and prevent a dangerous vacuum of uncertainty.
- 1.4 Shelter’s advice and legal teams are already seeing renters mistakenly believe Section 21 has been abolished. Some are failing to defend themselves in court, wrongly assuming judges will reject claims. This confusion will only grow after Royal Assent if no date is announced.
 - 1.4.1 *“We are already seeing evidence of confusion in our advice hubs and on our court duty desks... people are choosing not to defend Section 21 claims on the assumption that judges will reject them automatically.”*
– Shelter letter to Minister, August 2025
- 1.5 Shelter’s Digital Advice Team, which supports millions of renters each year, warns it will be “very difficult” to inform tenants effectively without a set date. Our teams are preparing new content and advice now – but **the longer the gap between Royal Assent and implementation, the harder it becomes to build trust and deliver accurate guidance.**
- 1.6 While some landlords and agents will seek to update their understanding once the Bill is passed, many will remain reactive to the changes. A three-month window strikes the right balance: it gives time for responsible landlords to adjust, while encouraging disengaged landlords to catch up quickly. A longer delay risks entrenching confusion and inaction.
- 1.7 Shelter and partners across the housing sector are preparing to help renters understand and assert their new rights. **But we cannot do this effectively without a clear, fixed commencement date.** Without it, the opportunity for strong, unified communications – and renter confidence – will be lost. We strongly encourage the government to announce the commencement date at the same time as Royal Assent; and to opt for a short transition period – between three and six months – to minimise confusion, uphold tenant confidence, and limit homelessness caused by Section 21 evictions.



DELIVERING A ROBUST RENTERS RIGHTS BILL

- 2.1 The Renters' Rights Bill has the potential to rebalance the scales between landlord and tenants. Shelter campaigned throughout the process for a robust Bill that genuinely delivered the security and protections needed to truly be able to call the bill transformational.
- 2.2 While the Bill misses the mark on some crucial aspects – such as limits on rent increases within tenancies; measures to prevent unfair use of guarantor requests locking low income renters out; and evidential safeguards in the eviction system against abuse by landlords – **the Bill that passed to the House of Lords in January was strong, and contained numerous improvements on previous attempts at reform:**
- The full abolition of Section 21 evictions and fixed term tenancies
 - Longer notice periods for key possession grounds
 - A move to open-ended tenancies with flexibility for tenants to serve notice and protection from eviction in the first year
 - Protections against abuse of eviction grounds through a no reletting (or “restricted period”)
 - A ban on discrimination against households claiming housing benefit and with children
 - A limit on rent in advance payments to 1 month
 - The introduction of a private rented sector database and expanded powers for local authority enforcement teams
- 2.3 While the Bill was in a strong position at the beginning of the House of Lords stages, some of these key changes have been watered down by amendments made in the Lords. These late changes have undermined some core protections in the Bill as well as rendering some aspects of the Bill ineffective.

Shelter opposes amendments 26 and 27 – Increasing the evidence bar for all civil penalty offences to the criminal standard of proof.

- 2.4 These amendments would require local authorities to meet the criminal (“beyond reasonable doubt”) rather than civil (“on the balance of probabilities”) standard of proof when imposing financial penalties for breaches of the rental discrimination and rental bidding requirements.
- 2.5 Cases of discrimination and rental bidding would be almost impossible to raise as a result of this change. Local authorities often already struggle to pursue civil penalty cases because of the staff time and resource involved in gathering evidence to support the case. Introducing this new, high bar of evidence in these already challenging cases would render them almost unenforceable.



- 2.6 Discrimination is notoriously hard to prove given its “slippery” nature, and early interactions between tenant and prospective landlord are often not in writing. Under the changes in the Bill a prospective tenant has to show that they were prevented from letting a property because they might be a benefits claimant or because a child might live with them. Proving any of these elements “beyond reasonable doubt” would be extremely challenging. As a result, these unlawful practices will continue unchecked and renters will continue to face homelessness as a result.
- 2.7 The Equality Act 2010, which allows tenants to challenge landlord discrimination where the tenant has a protected characteristic only requires the civil standard of proof (“on the balance of probabilities”). The Renters Rights Bill, which seeks to replicate anti-discrimination provisions in a simpler, more direct way, should reflect the challenging nature of bringing these cases, and be designed the same.

Shelter opposes amendment 18 – the reduction of the ‘restricted period’ from 12 months to 6 months.

- 2.8 The introduction of a 12 month no reletting period was a crucial improvement made in this version of the Bill following the General Election, and is absolutely vital in deterring abuse of the possession grounds 1 (moving self or family member into the property) and 1A (sale). Research from Nationwide Foundation found that 1 in 5 landlord sale evictions in Scotland, did not end up in a sale of the property.¹
- 2.9 The recent high-profile case involving the former housing minister demonstrates how easily landlords and agents could claim they are, for example, selling the property, only to relet it at a higher rent shortly after. The restricted period provides a clear, and significant deterrent against such behaviour. However, at six months the disincentive will not be great enough to deter abuse. Landlords with larger margins or portfolios will be able to wait this period out in order to replace tenants and secure higher rents.
- 2.10 Peers argued that 12 months without being able to let a property could undermine supply and leave homes empty. However, this risk is overstated. A strong 12 month restricted period would act as an effective deterrent against unlawful, dishonest eviction. It is not intended as a simple penalty for abuse of the possession system. It will also encourage landlords consider their intentions fully and, for example, take concrete steps towards selling a property before initiating possession proceedings. As such, provided the policy is well enforced, the numbers of properties removed from the market and left empty, will be minimal.

Shelter opposes amendment 6 – the introduction of a Secretary of State powers to change the date at which the new rent is payable following rent tribunal decisions

- 2.11 This amendment was introduced on the basis that tenants may use rent increase (section 13) challenges at First Tier Tribunal as a tactic to delay rent increases, which could in turn

¹ Indigo House and Nationwide Foundation, RentBetter: Wave 3 final report, September 2024



increase demand on the Tribunal. However, this claim is unevidenced and the logic is poor.

- 2.12 Tenants already face significant disincentives to accessing the tribunal, and will continue to do so in the new tenancy system, even where they face extremely large rent increases. These Tribunal cases, which only seek to assess whether the proposed rent is below or at “market rent”, permits, and will continue to permit, very large increases. **Shelter analysis of one hundred tribunal decisions prior to October 2024 found that the Tribunal permitted an average 23% rent increase, and sixteen increases of over 40%.**
- 2.13 Shelter’s services see many renters, struggling with rent and facing huge rent increases, yet who still have little time or appetite to challenge these increases via formal, often daunting, processes like a Tribunal hearing. This, combined with the continued low chances of success at Tribunal hearings, means that tenants are unlikely to tactically use tribunal challenges for the small benefit of delaying inevitably high rent increases.
- 2.14 Further, should this Secretary of State power be used to bring forward the date in which rent determination take effect to date on the Section 13 notice, many tenants will face arrears and eviction almost immediately after the hearing.

If you require further information about the bill and the contents of this briefing, please contact Shelter by emailing public_affairs@shelter.org.uk