

# SHELTER

## Delivering security through the Renters' Rights Bill

### The problem

The lack of security, stability and certainty for tenants and their families is at the heart of the challenges in England's private rented sector. Short notice, frequent, and costly moves prevent renters from establishing roots and planning for their families' futures. Many are afraid to report disrepair or challenge unfair rent increases, undermining renters' rights and trapping households in poor conditions. **For those facing eviction and the threat of homelessness, the physical, mental and financial toll is immense – 26,100 households approached their council in 2023/24, after receiving a valid Section 21 notice.**

**England's 11 million renters are living with daily instability and uncertainty in their housing situation.** The effects of this are most acutely felt by renters from marginalised backgrounds, reinforcing inequality and exacerbating vulnerabilities. Shelter research shows that black and minority ethnic renters are over three times as likely to have been evicted, served an eviction notice or threatened with eviction than White British renters. Disabled people, larger families and younger private renters also face heightened risks of eviction.<sup>1</sup> The Health Foundation has highlighted the damaging effects of frequent, disruptive moves is harming the health and life prospects of children and young people. For those on low incomes, with disabilities, or the growing population of older renters, the impact of an eviction can be devastating due to the added barriers they face in securing new, suitable, accommodation.

### The solutions

The Renters' Rights Bill presents a generational opportunity to address these challenges and deliver real security for renters, allowing them to put down roots, thrive, and plan for their futures with confidence. The scrapping of Section 21 'no fault' evictions, with immediate effect, is a crucial and welcome step forward. However, it is essential that the new system does not recreate the same problems under different terms. Renters must be genuinely protected from unscrupulous landlords who may seek to exploit loopholes to evict tenants dishonestly. Additionally, stronger safeguards are needed to prevent frequent, unwanted moves that disrupt people's lives. With

# SHELTER

reasonable amendments, the Renters' Rights Bill can create a transformational shift in stability and security for private renters, enabling them to thrive.

## Closing loopholes

With the abolition of Section 21 'no-fault' evictions, landlords will now need to provide a legitimate reason for eviction under Section 8. However, **Section 8 evictions and the surrounding policies must be designed to deter, detect and penalise landlords who attempt to abuse the system – an issue that has been prevalent in Scotland.**<sup>2</sup> The 12-month 'no reletting' period, increased financial penalties and strengthened of rent repayment orders in the Renters' Rights Bill are positive steps that will help prevent abuse of the system. However, to truly ensure fairness, transparency and stability within the new system we need:

- **Clear evidence thresholds for possession.** When a landlord seeks possession due to a sale or intent to move into the property, courts must have clear evidence thresholds. This will enable courts to easily identify landlords attempting to dishonestly secure an eviction and provide greater clarity to both landlords and tenants on what constitutes a legitimate eviction.
- **Post-eviction evidence requirements.** Landlords should be required to submit evidence of their actions, following an eviction. This will make it much easier to identify landlords who have broken the no-reletting period and will effectively deter dishonest evictions.

## Providing longer term security and certainty

The Renters Rights Bill should be grounded in the principle of preventing and minimising the disruption caused by evictions. **The Bill should initiate a shift toward longer-term tenancies, as seen in countries like France and Germany.** Eviction should always be a last resort, considering the severe impact of removing someone from their settled home. The extension of notice periods to 4 months for landlord sale and moving-in eviction grounds is a significant step forward, as it gives renters crucial time to challenge illegitimate evictions and find a new home, if necessary.

However, **tenants need stronger assurances that they won't face frequent, unwanted moves – one of the central problems in private renting. Renters need longer**

# SHELTER

**guarantees against eviction at the outset of their tenancies, allowing them to put down roots and plan for the future.** When evictions do occur, courts should be empowered to assess the specific circumstances of each case and determine whether an eviction is reasonable. Currently, the Bill retains several 'mandatory' grounds for eviction, preventing courts from considering the full context – including the grounds where the landlord intends to sell, move in, or if the tenant has rent arrears. In many cases, **there are viable alternatives to eviction that would benefit both the landlord and the tenant, but Shelter Services frequently sees cases where these are not explored.** Granting courts greater discretion would enable them to consider alternatives, preventing unnecessary and harmful evictions. To reduce the harm and upheaval caused by evictions, the Bill should:

- **Introduce a two-year protected period** at the start of tenancies during which no-fault evictions are prohibited – providing tenants with greater long-term security in their homes.
- **Make all eviction grounds discretionary** to empower courts to prevent evictions where alternative courses of action exist, as is currently the case in Scotland.

## Contact

If you would like to speak to Shelter directly about the Renters' Rights Bill and how it can deliver better security for private renters, please contact [public\\_affairs@shelter.org.uk](mailto:public_affairs@shelter.org.uk)