



Cabinet

Tuesday, 14 April 2026

**Update to the Private Sector Housing Enforcement Policy
2026 – 2031**

Report of the Director – Neighbourhoods

Cabinet Portfolio Holder for Housing and Planning, Councillor R Upton

1. Purpose of report

To enable Cabinet to consider and approve the adoption of a new policy relating to housing enforcement, to ensure compliance with the Renters Rights Act 2025.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) adopts the new Housing Enforcement Policy 2026-31 (Appendix 1) to take effect from 15 April 2026; and
- b) gives delegated authority to the Director – Neighbourhood to make minor changes to the adopted Policy to comply with legislation, guidance and good practice.

3. Reasons for Recommendation

The adoption of a Housing Enforcement Policy as provided in Appendix 1 sets out the way in which the Council intends to secure effective compliance with relevant housing legislation, whilst minimising the burden to the Council, individuals, organisations, and business, including:

- Housing conditions in Private Sector properties (rented and owner-occupied)
- Housing conditions in Registered Provider owned properties (Social Housing)
- Landlords' obligations in the Private Rented Sector
- Houses in Multiple Occupation (HMOs)
- Mobile Home Sites
- New Renters Rights Act implications

4. Supporting Information

- 4.1. Approval of the updated Private Sector Housing Enforcement Policy 2026 – 2031 incorporates new enforcement responsibilities under the Renters' Rights

Act 2025 and adopting the Association of Chief Environmental Health Officers (ACEHO) March 2026 Enforcement Policy as the national standard for Renters' Rights Act enforcement.

- 4.2. The proposed Policy retains all existing Housing Act 2004, licensing, public health and environmental health enforcement processes from the version approved in 2024 and remains situated under the Council's Corporate Enforcement Policy revised and adopted on 14 February 2023.
- 4.3. The updated Policy must be adopted before 1 May 2026, the commencement date of the Renters' Rights Act 2025, to ensure that the Council can discharge its statutory duties relating to enforcement, investigatory powers and reporting obligations.
- 4.4. The Renters' Rights Act 2025 comes into force on 1 May 2026 and introduces changes to private rented sector (PRS) tenancies. This includes:
 - **End of section 21 "no fault" evictions:** Landlords will no longer be able to use a section 21 notice to end a tenancy.
 - **Introduction of assured periodic tenancies:** These will replace assured shorthold tenancies and roll on a monthly basis with no fixed end date – renters will be able to end the tenancy at any point by giving two months' notice.
 - **Reform of possession grounds so they are fair for both parties:** Landlords will only be able to evict tenants when they have a valid reason.
 - **Limit rent increases to once a year in line with the market rate:** Landlords must give tenants at least two months' notice of a rent increase.
 - **Ban rental bidding and asking for more than one month's rent in advance:** It will be illegal to invite or accept bids above the advertised rent.
 - **End to discrimination:** It will be illegal to discriminate against renters who have children or receive benefits.
 - **Right to request a pet:** Landlords cannot unreasonably refuse a tenant's request to have a pet.
- 4.5. The Council will have a new responsibility to enforce these rules where landlords do not comply with them. We want to support the majority of good landlords operating in our Borough to comply with the new rules, while holding to account the minority of those who do not.
- 4.6. The updated Enforcement Policy explains how we will enforce these new rules. This includes imposing a civil penalty (fine) or pursuing a criminal prosecution where a landlord commits a breach or offence.
- 4.7. The starting points for the level of civil penalties are stated in the Government's statutory guidance. The Policy outlines the steps we will take, and factors we will consider, when deciding on the final level of a civil penalty.

- 4.8. The draft Policy is based on a model civil penalty policy endorsed by ACEHO and used by the majority of other Councils'. It is likely that this Policy may require certain minor changes as case law and practice develops and it is therefore requested that delegated authority be given, so that these can be made without requiring further Cabinet approval.

5. Alternative options considered and reasons for rejection

We will be unable to enforce the statutory provisions without a specific policy.

6. Risks and Uncertainties

The adoption of this Policy will reduce the legal/ reputational risk in the event of legal proceedings.

7. Implications

7.1. Financial Implications

Any financial implications are already contained within existing budgets.

7.2. Legal Implications

Local housing authorities have a statutory duty to enforce the landlord legislation in their area. Failure to adopt an updated Housing Enforcement Policy aligned with the Renters' Rights Act 2025 could result in the Council being unable to demonstrate compliance with its statutory duty to enforce landlord legislation once it comes into force on 1 May 2026. This may increase the likelihood of successful challenge to enforcement decisions, particularly where informal action is relied upon without clear justification, or where penalty-setting lacks a transparent and consistent framework.

7.3. Equalities Implications

An Equality Impact Assessment has been completed and no significant impacts have been identified.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

No implications have been identified.

7.5. Biodiversity Net Gain Implications

No implications have been identified.

8. Link to Corporate Priorities

The Environment	Good quality and energy efficient housing can make a positive contribution to climate change
Quality of Life	In terms of the building blocks of health there is direct impact between quality of housing and public health
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority
Sustainable Growth	The recommendations in this report do not impact on or contribute to the Council's Sustainable Growth priority

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For more information contact:	Geoff Carpenter Assistant Director for Public Protection 0115 914 8229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Cabinet 9 July 2024 'Housing Enforcement Policy'
List of appendices:	Appendix 1 – Revised Private Sector Housing Enforcement Policy Appendix 2 – Equality Impact Assessment