

People and Health Overview Committee

16 March 2026

Housing Standards and Tenants Rights Enforcement Policy

For Recommendation to Cabinet

Cabinet Member:

Cllr G Taylor, Health and Housing

Local Councillor(s)

N/A

Senior Leadership Team:

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Statutory Authority:

Renters Rights Act 2025

Report status: Public (the exemption paragraph is N/A)

1. Executive summary

- 1.1. The first phase of the Renters Rights Act 2025 comes into force on the 1 May 2026. It will cause the biggest change in private renting for a generation, leading to widespread tenancy reform, increased rights for renters and significantly changing the compliance landscape for landlords. Councils are under a legal duty to enforce the new provisions and report on their activity to the Secretary of State.
- 1.2. The aim of the Act is to give renters greater security and stability, so they can stay in their homes for longer, build lives in their communities, and avoid the risk of homelessness. The effective enforcement of property standards and new tenancy rights will not only satisfy a new legal duty to enforce and report but will also contribute to the Council's wider corporate and strategic objectives to provide affordable and high-quality housing [Housing Strategy January 2024 to January 2029 - Dorset Council](#).

- 1.3. The governments roadmap for implementation [Implementing the Renters' Rights Act 2025: Our roadmap for reforming the private rented sector](#) confirmed that the new provisions will be introduced in three phases, starting with Phase 1 on the 1 May 2026 and Phase 2 later in 2026/early 2027. Phase 3 is not scheduled until 2035.
- 1.4. The Council has an existing [Housing Standards Enforcement Policy](#) (October 2023). To successfully enforce the new legal provisions and comply with new duties, the Council must amend and update this existing policy. The amended policy sets out what renters, owners, landlords, their agents or any other person involved in the letting or management of residential accommodation, can expect from the Council when we are dealing with non-compliance with the relevant statutory provisions associated with the PRS. The policy covers not only our enforcement action under the new Renters Rights Act 2025, but all existing PRS housing standards enforcement action.
- 1.5. The proposed amended enforcement policy is based on a national model, which has been specifically designed to minimise the likelihood of successful challenges and legal appeals.

2. **Recommendation(s)**

- 2.1. That the People and Health Overview Committee recommend to Cabinet the:
 - 2.1.1 Adoption and approval of the Housing Standards and Tenants Rights Enforcement Policy 2026.
 - 2.1.2 Cabinet Member for Health and Housing in consultation with the Interim/Corporate Director for Housing and Community Safety is given delegated authority to make minor changes to the Housing Standards and Tenants Rights Enforcement Policy 2026 including:
 - a) the need to amend the policy to account for known future enactments which form part of the Phase 1 and Phase 2 implementation of the Renters Rights Act 2025; and,
 - b) approval of operational procedure notes including but not limited to a methodology for determining the amount of Civil Financial Penalties under this policy for breaches of up to £7,000 and offences of up to £40,000.

3. **Reason for the recommendation(s)**

- 3.1 To enable the Council to have a robust and legally compliant enforcement policy which enables the effective enforcement of the Housing Act 2004, Renters Rights Act 2025, the 'Landlord Legislation' and other relevant

statutory provisions affecting enforcement in the Private Rented Sector, which can be maintained 'up to date' as new known legal provisions are enacted.

4. **The report**

- 4.1. [The Renters Rights Act 2025](#) received royal ascent on the 27th October 2025. This enacted the current governments manifesto commitment to transform the Private Rented Sector (PRS), including ending Section 21 'no fault/no reason' evictions. The Act is a continuation of the Conservative-led Renters (Reform) Bill which was introduced in 2023.
- 4.2. The Act is aimed at improving the current PRS system for 11 million private renters and 2.3 million landlords in England. In Dorset there are in the region 27,000 PRS rented households (Census 2021). There is no current estimate of the number of landlords operating in the county. The aim is to give renters greater security and stability so they can stay in their homes for longer, build lives in their communities, and avoid the risk of homelessness.
- 4.3. The effective enforcement of property standards and new tenancy rights will not only satisfy a new legal duty to enforce, but will also contribute to the Councils wider corporate and strategic objectives to provide affordable and high-quality housing. [Dorset Council Plan 2024 to 2029](#) recognises the importance of increasing the availability of affordable homes to meet the needs of local people, improving the existing housing stock, and ensuring sustainable development.
- 4.4. The vision of the [Housing Strategy January 2024 to January 2029 - Dorset Council](#) is to ensure residents have access to affordable, suitable, secure homes where they can live well as part of sustainable and thriving communities.
- 4.5. The effective enforcement of rented property conditions and tenants' rights not only works towards improving housing security, fairness, and quality for some of Dorset's most vulnerable residents, it also plays a crucial role in preventing homelessness and reducing reliance on high-cost temporary and emergency accommodation.
- 4.6. In November 2025, the government released their implementation roadmap. [Implementing the Renters' Rights Act 2025: Our roadmap for reforming the private rented sector](#) which will see the new provisions introduced in three phases. The first phase of rental reform will come into effect on the 1 May 2026.

- 4.7. In this first phase from the 1 May 2026, widespread tenancy reform will take effect, including:
- **The end of ‘section 21’ evictions** with a move to a different tenancy structure where all assured tenancies are periodic (no fixed term or end date) and all eviction notices must specify a specific reason for the landlord wanting possession
 - **Amended possession grounds**, giving tenants more security, while ensuring landlords can recover their property when reasonable.
 - **New protections against covert eviction** by enabling renters to appeal excessive above-market rents
 - **Make it unlawful for landlords and agents to discriminate** against prospective tenants in receipt of benefits or with children.
 - **End the practice of rental bidding** by prohibiting landlords and agents from asking for or accepting offers above the advertised rent.
- 4.8. Phase Two of implementation will see the introduction of a **new Private Rented Sector Landlord Ombudsman** (late 2026) that aims to provide quick, fair, impartial and binding resolution for tenants’ complaints about their landlord. Phase two will also include the **Creation of a Private Rented Sector Database** (late 2026) to help landlords understand their legal obligations. It will also support councils, helping us to target enforcement activity. Failure to register on the database will be a new breach of the legislation liable to a civil financial penalty. Finally phase three will see the **Decent Homes Standard and Awaabs Law extended to the PRS** (In 2035 and date to be agreed respectively) and proposed changes to the **Minimum Energy Efficiency Standards (MEES) of EPC C or equivalent by 2030**.
- 4.9. To ensure compliance, the first phase implementation is accompanied by the introduction of new and strengthened local authority enforcement powers and duties. This creates new breaches and offences and expands the use of civil financial penalties of up to £7,000 for lower-level breaches and up to £40,000 for more serious offences. This report proposes that the Portfolio Holder for Housing and Public Health be given delegated authority to agree and approve an operational methodology for determining the amount of Civil Financial Penalties under this policy.
- 4.10. The Act also introduces a package of updated investigatory powers for authorised officers. Phase one will also include new additional enforcement provisions coming into effect after the 1 May 2026. These changes will necessitate minor amendments to the policy, which are again delegated to the Portfolio Holder for Housing and Public Health.

- 4.11. Local Housing Authorities are under a new duty to enforce the new powers and there is a corresponding duty for councils to report on their enforcement activity. This will lead to increased local and national accountability and transparency.
- 4.12. The tenancy reform changes are likely to have a significant impact on our Housing Options Team. The legal changes and the associated complexity are likely to lead to homelessness cases being open for longer, leading to a significant increase in active casework at any one time. To take account of the new burdens placed on the Housing Options Team, they have been given additional resource by government which is being used to appoint three new posts to provide the necessary extra resilience.
- 4.13. To successfully enforce the new legal provisions and comply with our new and existing duties, the Council must update its Housing Standards Enforcement Policy. The amended policy sets out what renters, owners, landlords, their agents or any other person involved in the letting or management of residential accommodation, can expect from the Council when we are dealing with non-compliance with the relevant statutory provisions associated with the PRS. The policy also provides guidance for authorised officers to ensure enforcement action is taken in line with the relevant statutory provisions and statutory guidance associated with the PRS. It is important to note that the policy covers not only our enforcement action under the new Renters Rights Act 2025, but all existing PRS housing standards enforcement action.
- 4.14. These widespread changes have the potential to significantly impact landlords and tenants, causing uncertainty in the PRS sector nationally and locally. In addition to a national campaign, the Council has its own communications strategy, firstly targeting landlords and letting agents to raise awareness and promote the benefits of early compliance (see [Renters' Rights Act 2025- renting is changing - Dorset Council](#)). The Councils Landlord Forum (25 March 2026) focusses on the new legal provisions [Landlord Forum - Dorset Council](#). The communications strategy then moves onto also raising tenants' awareness of their new rights, enabling them to report concerns.

5. Alternative options considered

- 5.1. The Council has an existing Housing Standards Enforcement Policy (October 2023). This document does not account for the changes in the new Renters Rights Act 2025. The new statutory guidance recommends that to enforce the existing provisions and also the new Renters Rights Act 2025, Councils develop their own enforcement policies.

- 5.2. One option is that the Council does not adopt a new policy. However, this would prevent the Council from effectively carrying out its new legal duties to enforce the new legal provisions, leading to tenants being exposed to illegal lettings practices and high reputational risk for the organisation.
- 5.3. The Council may also decide to adopt a new policy in a different format. In drafting this amended policy, the council has worked with the national coordinating group; '*Operation Jigsaw*', a government funded initiative designed to promote collaboration, consistency and readiness across PRS teams in England for the Renters Rights Act 2025. Our policy is also based on a model national policy adopted by the Association of Chief Environmental Health Officers in England ('ACEHO'). This model national policy has been specifically written as a technical legal statement, having regard to various relevant legal precedents, with the express intention of minimising the likelihood of successful appeals and challenges to the Councils enforcement action.

6. **Legal considerations**

- 6.1. The Council is under a legal duty to enforce the Landlord Legislation and Renters Rights Act 2025 and to report to the Secretary of State on the exercise of its functions.
- 6.2. It is important to note that a combination of factors including the duty to enforce and the fact that the [Regulators Code](#) does not apply to breaches and offences under the Landlord Legislation, means that the direction of travel of the legislation is not just towards ensuring landlord compliance, but making punishment and deterrence at the centre of the Councils policy and enforcement action.
- 6.3. The Renters Rights Act 2025 extends the council's powers and duties in dealing with non-compliance by PRS landlords. This includes the ability to commence prosecution proceedings for offences or issue a Civil Financial Penalty for breaches and offences. Each of these actions on landlords can result in the recipient formally appealing the Council's decision and processes to the First Tier Tribunal (Property Chamber). The Councils policy has been designed and based on a model national standard adopted by the ACEHO with the intention of, as far as is possible, reducing the likelihood of successful appeals.
- 6.4. Where a Civil Financial Penalty is issued and not revoked or appealed, the penalty becomes a civil debt against the council and is then subject to the normal debt recovery process including applications for a County Court Judgement (CCJ).

7. Financial implications

- 7.1. There are several funding streams associated with the new legal provisions as detailed below. As outlined below, despite the provision of specific housing enforcement New Burdens Funding in the first two years of the Renters Rights Act 2025 implementation, government expects councils to use the below funding streams to create sustainable self-funded enforcement services.
- 7.2. The introduction of the Act creates a new legal duty which in turn increases the cost of providing local authority services. For this reason, New Burdens Funding applies, based on the number of PRS properties in each council area (taken from the 2021 Census).
- 7.3. The Council has already received a New Burdens Funding (NBF) allocation for 2025/26 of £104,291.52 to support us to undertake preparatory work for our new enforcement responsibilities (this is in addition to the New Burdens Funding ringfenced to the Housing Options Team highlighted above). This specific enforcement NBF allocation is being used to recruit new enforcement officers to increase our resilience to meet the new requirements from May 2026 and beyond.
- 7.4. The Ministry of Housing Communities and Local Government (MHCLG) have confirmed that they expect to announce further enforcement New Burdens Funding for 2026/27 in spring 2026 ahead of the May 2026 Phase 1 commencement, saying they are committed to providing new burdens funding in future years and creating a sustainable funding system for PRS enforcement over the longer term.
- 7.5. Due to the impact on the Housing Options Team, MHCLG have provided two years' New Burdens Funding to assist with the likely impact on housing enquires and recognise that casework will be live for a longer period, leading to increased caseloads for officers.
- 7.6. The Renters Rights Act 2025 extends considerably the existing powers and duties in relation to issuing Civil Financial Penalties for breaches and offences. Income received from penalties must be used by local housing authorities to meet costs and expenses incurred in or associated with their private rented sector enforcement functions. Income that is not used for this purpose must be paid to central government.
- 7.7. From late 2026 into 2027, the Act will introduce a new [PRS Landlord Database](#). All landlords of assured and regulated tenancies will be legally required to register themselves and their properties on the database and could be subject to penalties if they market or let out a property without

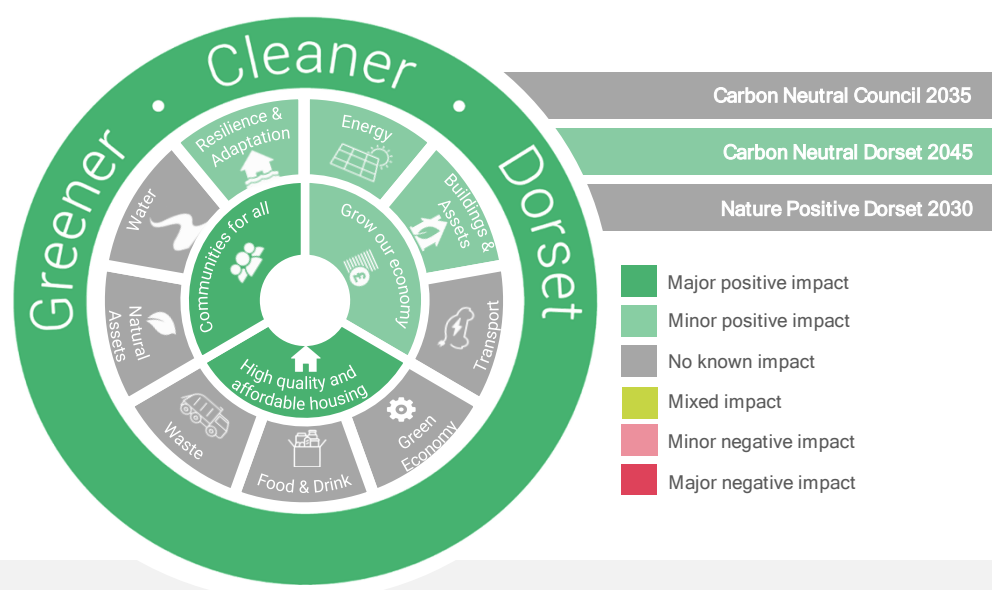
registering it and providing the required information. Although the detail is yet to be confirmed, we expect that landlords will be required to pay annually to register, with councils receiving a proportion of this fee income to sustain their PRS enforcement activity into future years. This income is likely to provide a significant proportion of future funding to ensure sustainable housing standards enforcement into future years.

- 7.8. The Renters Rights Act 2025 extends the use and eligibility of Rent Repayment Orders (RRO). RRO's have the potential to be an increasingly important enforcement tool to deter landlords from non-compliance. RROs are available to local authorities where a landlord commits a specified offence, and rent has been paid to the landlord through Universal Credit or Housing Benefit. The RRO allows Councils to claim up to 2 years of paid benefits. If a Council is successful in its application for an RRO, it can keep the reclaimed rent paid through Housing Benefit or Universal Credit and it must be used to continue PRS enforcement activities.
- 7.9. From a financial risk point of view, where the Council either commences prosecution proceedings for offences or issues a Civil Financial Penalty for breaches and offences, the recipient landlord has the right of appeal to the First Tier Tribunal (Property Chamber) or Magistrates Court. Although the Councils policy has been designed with the aim of reducing the likelihood of successful appeals, it should be noted that such legal processes are sometimes unavoidable and can be complex, lengthy and costly by way of officer time and possible legal services input.

8. Natural environment, climate & ecology implications

- 8.1. The enforcement of housing standards in the PRS is focussed on tackling tenants' rights and the worst property deficiencies that have the potential to affect resident's health. Although not the primary focus, property standards enforcement may as a secondary outcome improve the energy efficiency of houses by requiring better thermal insulation, via the resolution of disrepair and the provision of more efficient heating systems.
- 8.2. Domestic emissions constitute around a fifth of Dorset's carbon footprint. The enforcement of Minimum Energy Efficiency Standards (MEES) in the PRS is an important component of our action for this sector (Appendix 5 of the policy refers).
- 8.3. In the longer term, Phase 3 of the Renters Rights Act 2025 implementation roadmap includes proposals to increase the minimum energy efficiency requirement for private rentals to EPC C (unless registered exempt).

- 8.4. These future reforms present an opportunity to progress the council's action to improve the environmental performance of private housing stock, which forms part of our [housing strategy](#). Alongside our enforcement action, and within the context of our broader approach to improving the energy efficiency of our housing stock, Dorset Council already provides a range of support, including online [home energy advice](#) and specific [advice for landlords](#); a [free energy advice line](#); a [digital energy advice tool](#) and MEES-specific [energy rating improver tool](#); [grant support](#), [home improvement loans](#) and [Landlord Forum](#).
- 8.5. The below decision wheel shows the impacts of the amended policy on the aims of our Natural Environment, Climate & Ecology Strategy.



Quantitative Impact on CEE targets (if known)

2030 - Natural asset extent & condition

Unit

Number of units (+/-)

Ha

Unknown

2040 - Operational Emissions

CO₂ (tonnes)

Unknown

2050 - County Emissions

CO₂ (tonnes)

Unknown

Natural Environment, Climate & Ecology Strategy Commitments	Impact
Energy	Minor positive impact
Buildings & Assets	Minor positive impact
Transport	No known impact
Green Economy	No known impact
Food & Drink	No known impact
Waste	No known impact
Natural Assets & Ecology	No known impact
Water	No known impact

Resilience and Adaptation	Minor positive impact
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Other Council Plan Aims	Impact
Grow our economy	Minor positive impact
High-quality and affordable housing	Major positive impact
Communities for all	Major positive impact

9. **Well-being and health implications**

- 9.1. The enforcement of housing standards in the PRS is primarily focussed on tackling the worst property deficiencies that have the potential to affect resident's health. Hazards which are higher risk to vulnerable households include the exposure to excess cold at home, the risk of falls in and around the home and exposure to the effects of damp and in particular mould from property defects. All these actions provide an important service, improving housing conditions to prevent ill health and accidents, with a corresponding cost saving to primary health care.
- 9.2. The inclusion of enforcement provisions to protect tenant's rights enables councils to move beyond merely dealing with risks to physical health. A stable, safe home, free from the threat of retaliatory eviction and homelessness has the long-term aim to create a PRS which better supports renters' overall wellbeing and mental health, not merely the absence of ill health and physical risks.

10. **Risk implications**

- 10.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

11. **Equalities**

- 11.1 The policy has been subject to consultation with the Equality, Diversity and Inclusion Lead. No negative impacts were identified for any protected characteristic with the potential for a positive impact on those with the protected characteristics of care experience, marriage or civil partnership, pregnancy and maternity, people with caring responsibilities and socio-economic deprivation. The assessment is attached at Appendix 2 of this report.

12. **Appendices**

- 1 Housing Standards and Tenancy Rights Enforcement Policy
- 2 Equality Impact Assessment – Draft

13. **Background papers**

[Guide to the Renters' Rights Act - GOV.UK](#)

[Implementing the Renters' Rights Act 2025: Our roadmap for reforming the private rented sector](#)

[Housing Strategy January 2024 to January 2029 - Dorset Council.](#)

[Renters' Rights Act: guidance for local authorities and councils - GOV.UK](#)

[Renters' Rights Act 2025- renting is changing - Dorset Council](#)

[Cllr Webinar - Renters Rights BillAct-20251120_110026-Meeting Recording.mp4](#)

14. **Report sign-off**

This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s)