

Cabinet
Council

17th March 2026
24th March 2026

Cabinet Member Portfolio:

Cabinet Member of Policing and Equalities
Cabinet Member for Housing and Communities

Director approving submission of the report:

Director of Law, Governance and Safer Communities.

Ward(s) affected:

All

Title:

Private Sector Housing Enforcement Policy 2026-2031

Is this a key decision?

No

Executive summary:

On the 27th of October 2025 the Renters Rights Act (hereafter the Act) received royal assent with the aim of improving the experience of private renting.

The Act introduces a new suite of powers for the Council that will come into force on the 1st May 2026 underpinned by new powers designed to be effective, consistent and proportionate enforcement framework.

The Government has also extended councils' powers to collect and retain revenue for future enforcement work from financial penalties against landlords who flout the rules.

In order for the Council to use these powers it must have published a policy setting out how it will implement these powers in relation to properties in the Private Rented Sector (PRS). This report therefore seeks approval of the attached "Private Sector Housing Enforcement Policy 2026 -2031".

The Policy is being presented to Cabinet and Council. If approval is given, the Policy will take effect from the 1st of May 2026.

Recommendations:

Cabinet is recommended to:

- (1) Consider the requirements of the Renters Rights Act 2025 and approve the proposed Coventry Private Sector Housing Enforcement Policy 2026 -2031.
- (2) Authorise the Director of Finance and Resources (Section 151) to accept any future monies associated with New Burdens funding and income from the PRS Database once these have been confirmed by Government.
- (3) Authorise the Director of Law, Governance and Safer communities to amend the scheme of delegations to include any new powers and duties arising as a result of the Renters Rights Act 2025.
- (4) Request that the policy be reviewed by full Council for approval.

Council is recommended to:

- (1) Consider the requirements of the Renters Rights Act 2025 and approve the proposed Coventry Private Sector Housing Enforcement Policy 2026-2031.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Private Sector Housing Enforcement Policy 2026-2031

Appendix 2 – Equality Impact Assessment

Background papers:

None

Other useful documents

Renters Rights Act 2025

Housing Act 2004

Housing and Planning Act 2016

Has it or will it be considered by Scrutiny?

No

Has it or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 24th March 2026

Report title: Private Sector Housing Enforcement Policy 2026-2031

1. Context (or background)

- 1.1. The Renters' Rights Act received Royal Assent on Monday the 27th of October 2025. It provides a commitment to transform the experience of private renting and give renters much greater security and stability so they can stay in their homes for longer, build lives in their communities, and avoid the risk of homelessness.
- 1.2. On the 13th of November 2025 the Government introduced its roadmap which provides an overview of the phases of implementation for the various provisions under the Act.
- 1.3. Phase 1, which commenced on the 27th of December 2025, provided the Council with new powers to investigate whether landlords or letting agents in the PRS have breached specific housing laws. The 'Investigatory powers guidance for Renters' Rights Act 2025' sets out which powers can be used and authorised officers must ensure the powers are applied appropriately. They may be used to support investigations when officers suspect certain legal breaches have occurred and include:
 - Entering business premises to seize documents
 - Requesting information from people or organisations
 - Entering residential properties (with special authorisation).
- 1.4. The remainder of Phase 1 of the Act will come into force from the 1st of May 2026, and will introduce the following:
 - The abolishment of section 21 'no fault' evictions in the PRS. The abolition of section 21 and tenancy reforms during Phase 1 will not apply initially to the social rented sector. This will happen during Phase 2 (late 2026).
 - Assured Periodic Tenancies in the PRS – the vast majority of new tenancies and existing tenancies in the PRS will become Assured Periodic Tenancies. This means tenants will be able to stay in their property for as long as they want, or until a landlord serves a valid Section 8 Notice. Tenants will be able to end their tenancy by giving two months' notice.
 - Reform possession grounds in the PRS so they are fair for both parties – landlords will only be able to evict tenants when they have a valid reason. Possession grounds will be extended to make it easier for landlords to evict tenants who commit anti-social behaviour, or who are in serious persistent rent arrears.
 - Limit rent increases to once a year in the PRS – landlords will have to follow the revised Section 13 procedure and provide the tenant with a Notice detailing the proposed rent increase at least two months before it is due to take effect.
 - Ban rental bidding and rent in advance – landlords and letting agents will not be able to ask for, encourage, or accept an offer that is higher than the advertised rent. Landlords and agents will also not be able to request more than one month's rent in advance.

- Make it illegal to discriminate against renters who have children or receive benefits – landlords and letting agents will not be able to do anything to make a tenant less likely to rent a property (or prevent them from renting it) because they have children or receive benefits. This includes withholding information about a property (including its availability), stopping someone from viewing it, or refusing to grant a tenancy.
- Require landlords in the PRS to consider tenant requests to rent with a pet – landlords will have an initial 28 days to consider their tenant’s request, and they will have to provide valid reasons if they refuse it.
- Strengthen both local council enforcement and rent repayment orders - civil penalties will be expanded, and there will be a new requirement for local councils to report on enforcement activity. Rent Repayment Orders will be extended to superior landlords, the maximum penalty will be doubled, and repeat offenders required to pay the maximum amount.
- New investigatory powers giving local councils a stronger ability to inspect properties, demand documents, and access third-party data to crack down on rogue landlords and enforce housing standards more effectively.

- 1.5. Phase 2 of the Act will be introduced in two key stages from late 2026.
- 1.6. Stage 1 of Phase 2 will see a regional roll out of the Database for Landlords. Signing up to the PRS Database will be mandatory for all PRS landlords and they will be required to pay an annual fee which will be confirmed closer to launch. Regulations will mandate landlord registration, payment of a fee and the provision of key information by landlords.
- 1.7. Stage 2 of Phase 2 will include further roll out of the Database and the introduction of the Ombudsman service. Public access and data sharing will be enabled following the launch of landlord registration.
- 1.8. The Ombudsman will provide a redress service for PRS tenants when things go wrong. It will also support landlords with tools, guidance and training on handling complaints from tenants early. The Ombudsman scheme will be mandatory for PRS landlords. Landlords will be required to fund the service through a fair and proportionate charging model, confirmed closer to launch. The development of the Ombudsman will happen in stages:
 - Stage 1 will happen at least 12-18 months before implementation. The Secretary of State will choose a scheme administrator to run the new service, which will then need time to scale up.
 - Stage 2 will require landlords to be members of the new service – this is expected to be in 2028, when the Secretary of State is confident the service is ready for delivery.
- 1.9. Phase 3 will see the introduction of a new Decent Homes Standard (DHS) which will apply to all privately rented properties for the first time. The new DHS will apply from 2035 in both the social and private rented sectors, at which point regulation and enforcement against these standards in relation to the PRS will sit with the Council.

1.10. As an overview, the new DHS will require:

Criterion A – A home must be free of ‘category 1’ hazards, as assessed under the Housing Health and Safety Rating System (HHSRS).

Criterion B – A home must be in a reasonable state of repair.

Criterion C – A home must provide core facilities and services.

Criterion D – A home must provide a reasonable degree of thermal comfort. This includes ensuring homes meet Minimum Energy Efficiency Standards EPC C.

Criterion E – A home should be free of damp and mould.

1.11. In addition to the introduction of the DHS the Government will also extend Awaab’s Law to apply to privately rented properties.

1.12. In order for the Council to proceed with implementing the powers provided under the Renters Rights Act it must first have published a policy. If approved these powers will take effect in line with the commencement dates set out by Government and the Act.

1.13. **The Private Sector Housing Enforcement Policy 2026-2031**

1.13.1. The Private Sector Housing Enforcement Policy provided in Appendix 1 sets out the Council’s strengthened approach to enforcing housing standards across the PRS and Social Housing (SH). It incorporates updated legislation, particularly the Renters’ Rights Act 2025, and aims to ensure all rented homes meet statutory minimum standards to protect residents’ health and wellbeing and can be summarised as follows:

Clear Legal Framework

The policy aligns enforcement activity with a wide range of legislation including the Housing Acts, Housing & Planning Act 2016, Renters’ Rights Act 2025, and multiple safety regulations.

Proportionate Enforcement Approach

Encourages early informal engagement with landlords.

Escalates to formal action where landlords fail to act, where risks to health exist, or where behaviour is deliberate or repeated.

Tools include civil penalties (up to £40,000), simple cautions, prosecution, and management orders.

Civil Penalties Framework

A detailed, structured penalties matrix outlines:

- Starting points for offences;
- Factors influencing penalty levels (severity, culpability, harm, aggravating/mitigating factors); and
- Representations process and appeals.

This ensures consistency and transparency in enforcement.

Safeguarding & Vulnerability

The policy includes specific measures for hoarding and severely dilapidated homes, recognising the needs of vulnerable residents and enabling multi-agency responses.

Clear Expectations for Landlords & Tenants

Landlords and agents must demonstrate legal competence, proper management, and timely repairs.

Tenants must initially raise concerns directly and act in a “tenant-like manner”.

Monitoring & Review

Annual review aligned with legislative updates.

Commitment to staff training, public communication, and promoting landlord accreditation schemes.

2. Options considered and recommended proposal

2.1. There are two options to consider:

- a) **Do nothing** - This option is not recommended because this option would prevent the Council from enforcing its statutory duties under the Renters Rights Act 2025.
- b) **Approve the policy – This is the preferred option.** Without this the Council cannot use the new powers. Therefore, Cabinet is requested to approve the Private Sector Housing Enforcement Policy 2026-2031 and the approach to dealing with the implementation of the new powers as detailed in the report. This will ensure legal compliance with the Renters Rights Act 2025.

3. Results of Consultation

- 3.1. The Renters Rights Act as set out in the policy has been subject to national consultation by the MHCLG and the results of this have been taken into consideration by Government when developing the new legislation and associated guidance provided to Local Authorities for implementing these new powers. There is no statutory requirement to consult further on the measures set out in the policy.
- 3.2. Landlord and Agents have been notified of the pending changes being introduced through the Council’s Landlord Accreditation Scheme, Landlord Newsletter and in emails. Further communications will be rolled out periodically to all stakeholders to ensure they understand the new powers and the implications.
- 3.3. The Council is also currently working with external advice services, such as the CAB and Coventry Law Centre to ensure renters are aware of the changes being introduced by the Act.
- 3.4. A series of briefing notes have been provided to Cabinet Members, and an overview of the Renters Rights Act was presented to the Communities and Neighbourhoods Scrutiny Board (4) on the 19th of December 2025. In addition, an all-Member seminar was carried out on the 9th of February 2026.

4. Timetable for implementing this decision

- 4.1. The policy must be approved and published to allow the Council to implement the new powers. If approved, it is proposed that the policy takes immediate effect, which will enable the Council to use the investigatory powers introduced on the 27th of December 2025 and be prepared to use the remaining powers which have a fixed implementation date of the 1st of May 2026.
- 4.2. During this period between publishing the new policy and the 1st of May 2026 the Council will need to maintain the use of existing powers prior to the introduction of the Renters Rights Act 2025 and as such the Council will carry out any such enforcement in accordance with the existing Policy on Enforcing Standards in Private Sector Housing 2020.
- 4.3. Any enforcement cases commenced on or after the 1st of May 2026 will be done so in line with this new policy – the Private Sector Housing Enforcement Policy 2026-2031.
- 4.4. The Private Sector Housing Enforcement Policy will be reviewed and amended (if necessary) before the end of 2031.

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law, Governance and Safer Communities.

5.1. Financial Implications

- 5.1.1. The Ministry of Housing, Communities and Local Government (MHCLG) has indicated it will provide a total of £18.2 million of New Burdens funding in 2025/2026 to help local authorities in England cover familiarisation costs and prepare for their new enforcement responsibilities; make necessary changes to IT systems for new data collection requirements; and recruit and deploy additional staff resource for PRS enforcement.
- 5.1.2. Funding allocations for local authorities are determined according to the number of private rented sector properties in each area, utilising data from the 2021 census. The Council has received its Grant Determination letter under Section 31 of the Local Government Act 2003, confirming an award of £126k for this period. Although this funding is unlikely to fully meet all costs associated with delivering the requirements, the Service had already accounted for these expenses in its budget planning. As a result, any shortfall will be absorbed and managed within the existing financial resources.
- 5.1.3. The Government is expected to confirm additional New Burdens funding for the financial year 2026/27, with an announcement anticipated in early 2026, ahead of the commencement of Phase 1 of the Renters' Rights Act. This ongoing commitment to New Burdens funding aims to support local authorities in meeting the evolving demands associated with private rented sector (PRS) enforcement.
- 5.1.4. In future years, the Government remains committed to establishing a sustainable funding system for PRS enforcement. This approach will be underpinned by

revenues generated from PRS Database fees, ensuring that enforcement activities are adequately resourced over the long term.

- 5.1.5. The Service will continue to manage delivery costs within the framework of the additional funding provided. Should there be any funding shortfall, these costs will be reviewed and managed accordingly.
- 5.1.6. The Council has also received approx. £125k funding from West Midlands Combined Authority to appoint 2 new apprenticeship posts for a period of two years to assist in the enforcement of the Act. These apprentice posts have been developed to enable the service to “grow their own” which provides a sustainable option for future resources.

5.2. Legal Implications

- 5.2.1. Section 107 of the Renters Rights Act 2025 places a statutory duty on every local housing authority to enforce the landlord legislation within its area.
- 5.2.2. This is new in the Renters’ Rights Act, as prior to this the Council only had a “power” to enforce landlord legislation within its area. Enforcement will therefore change from discretionary to mandatory, substantially increasing the Councils’ obligations. Adoption and publication of the Private Sector Housing Enforcement Policy 2026-2031 is therefore necessary to discharge the authority’s duty.
- 5.2.3. The Private Sector Housing Enforcement Policy attached at Appendix 1 sets out the Council’s approach to fulfilling this duty in a way that will ensure consistency and transparency.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The One Coventry Plan 2022 - 2030 takes forward the main themes agreed by the Council in recent years. It reaffirms the Council’s ambition of “Working together to improve our city and the lives of those who live, work and study here”.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- Improving outcomes and tackling inequalities within our communities
- Improving the economic prosperity of the city and regions
- Tackling the causes and consequences of climate change

The primary driver for all the work carried out by the Safer Housing and Communities service is to support and protect tenants, residents and communities.

The Safer Housing and Communities service work together to:

- Prevent offending
- Managing and changing the behaviour of offenders

- Reduce crime
- Minimising the risk of harm to vulnerable people
- Support victims
- Protect communities
- Protect locations from crime and make housing safer.

The Safer Housing and Communities service supports the priorities of the Regulatory Services Operational Plan.

6.2. How is risk being managed?

In accordance with the Renters Rights Act 2025, the Council is obligated to enforce the landlord legislation in its area. This policy will ensure a coordinated and consistent approach to enforcement.

The policy will inform decisions taken by Safer Housing and Communities service that will have an impact on the interests of private landlords, agents and tenants. The policy follows the principles of enforcement set out in the Council's overarching Regulation, Communities and Environmental Enforcement Policy 2024 and therefore reflects the need to respect the relevant rights given by the Human Rights Act.

Decisions of the Safer Housing and Communities service are open to challenge through the First Tier Property Tribunal and in certain cases the Magistrates Court and beyond. The policy is designed to ensure the Council's compliance with legislation and statutory guidance, minimising the risk of legal challenge.

6.3. What is the impact on the organisation?

The Safer Housing and Communities service was the subject of a restructure in 2025 to respond to the proposed changes in service needs and to ensure the appropriate skills, expertise and capacity exists within the service to deliver against future objectives.

With the introduction of the Renters Rights Act 2025 there is a greater emphasis on the Council to comply with the legal duty to enforce the legislation and there are further plans by Government to roll out additional powers.

Although the Safer Housing and Communities service has restructured to plan ahead as the legislation is introduced there may be potential human resource and financial implications.

These will be monitored and reviewed regularly, and where possible mitigated through the use of New Burdens funding and income from civil penalties, which are specifically ringfenced for functions in the private rented sector. The current duties will be carried out using existing resources.

6.4. Equalities / EIA?

The report makes links to the Council's Equalities and Diversity Policies. An Equality Impact Assessment has been completed and is attached at Appendix 2 of the report.

6.5. Implications for (or impact on) climate change and the environment?

The Safer Housing and Communities service tackle place-based issues and through its enforcement activities it supports improving this objective.

6.6. Implications for partner organisations?

The Safer Housing and Communities service will work collaboratively with Coventry City Council its partner organisations to ensure the policy is implemented consistently.

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