# Part 1 | Preparing For The Removal Of Section 21

The Renters' Rights Bill is moving closer to Royal Assent; it will be back in the Lords on 14th October, when MPs return to Westminster following the conference break.

Among its many reforms, the abolition of Section 21 Notices is the most transformative change the private rented sector has seen in decades. Once the option to evict a tenant without giving a reason disappears, agents and landlords will need to rely entirely on Section 8 grounds to regain possession.

This guide is the first of our 10 essential guides to the Bill; in this issue, we'll help you prepare for the removal of the Section 21 Notice possession route.

## Why Section 21 Notices Are Going

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- Old model | Two months' notice, no reason required, if prescribed documents and compliance steps were met.
- New model | Agents and landlords must specify and prove a valid reason for possession under Section 8.

It has been long assumed that landlords had been using this route to remove tenants for no reason, which is why the abolition of Section 21's became the target for both the current, and the previous government to give tenants greater stability and reduce evictions without cause.






*Families across the country have been subject to no-fault Section 21 evictions, which we know are a leading cause of homelessness, and renters across the country need the Bill on the statute book.*

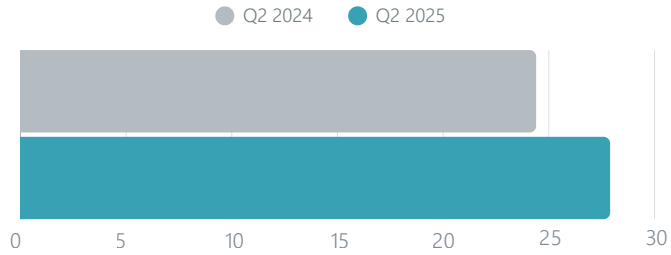
**Matthew Pennycook**

| Housing Minister

However, the reality is that the reason agents and landlords have been relying on the Section 21 route has been because there are excessive delays to getting a court hearing for non-payment of rent, or another breach.

## INCREASED TIMELINES THROUGH THE COURTS

The timeline for landlord repossession continues to increase, from 24.4 weeks for the second quarter of 2024, to 27. 9 weeks for the same period in 2025.




The change in the law will be brought in alongside other reforms within the Bill, including:

- The end of fixed-term tenancies: these will be replaced by open-ended periodic tenancies from day one – look out for more details in our 'End of Fixed Terms' issue, coming soon.
- New rules on rent in advance and guarantors: which we expect will affect the student lettings market – this will be covered in more depth in our 'Student Lets and the Renters' Rights Bill' issue.
- Updated tenancy processes, including clearer procedures for rent reviews and increased notice periods.



## THE ANTISOCIAL BEHAVIOUR CHALLENGE

One concern with the removal of Section 21 Notices is its impact on cases involving anti-social behaviour. Without the Section 21 route, landlords will need witnesses, and they'll have to present stronger evidence to secure possession. This may put any witnesses in a difficult position, particularly if they live near the tenant in question.

The market should prepare for more complex routes to securing vacant possession.

# Important Steps To Take Now

To prepare for the changes, agents should consider taking proactive steps to assess the tenancies they manage and implement new procedures to safeguard future tenancies.

1

## REVIEW YOUR TENANTS

Ask yourself: Are your tenants reliable? Would you continue to rent to them under the new rules? If you have any concerns, this might be the time to address anti-social behaviour or late rent payments.

2

## STRENGTHEN YOUR PROCESSES

Under the new rules, you'll need strong evidence to justify possession claims. Ensure you have the systems in place to record any breaches of the tenancy agreement and to provide evidence that you have met your legal obligations to the tenant, for example issuing mandatory documents to them.

3

## CONSIDER AFFORDABILITY LEVELS

When Section 21 Notices come to an end, and rent arrears become harder to resolve, now could be the time to review your affordability thresholds. Tightening minimum income-to-rent ratios before the Bill comes into effect can help future-proof tenancies and reduce risk.

BOX From THE LETTINGS HUB
Technology that powers lettings

With BOX, you can set and adjust your own minimum affordability levels.

4

## ENHANCED TENANT SCREENING

It's very likely that the tenants you're letting in today will still be in your properties when the Section 21 routine is gone. Therefore, it is important to:

- Carefully screen all potential applicants to identify any high-risk applicants.
- Upgrade to Elite Referencing, which is supported by our industry-leading "No Fraud Guarantee."
- Consider mandatory guarantors for certain property types, such as student HMOs.

5

## UPDATE LANDLORD COMMUNICATIONS

Many landlords still rely on Section 21 for peace of mind, so use this time to explain the changes clearly, and reinforce the steps you are taking to safeguard their investment.

## The Opportunity For Agents

With uncertainty comes opportunity – so now is the time to position yourself as a solution-focused expert. Your agency can thrive if you:

- Differentiate your services with enhanced management packages that provide risk-free renting for your landlords.
- Demonstrate strong tenant screening and legal compliance.
- Provide reassurance through clear, proactive communication.
- Offer Rent & Legal protection, with the ultimate protection when tenancies do go wrong.



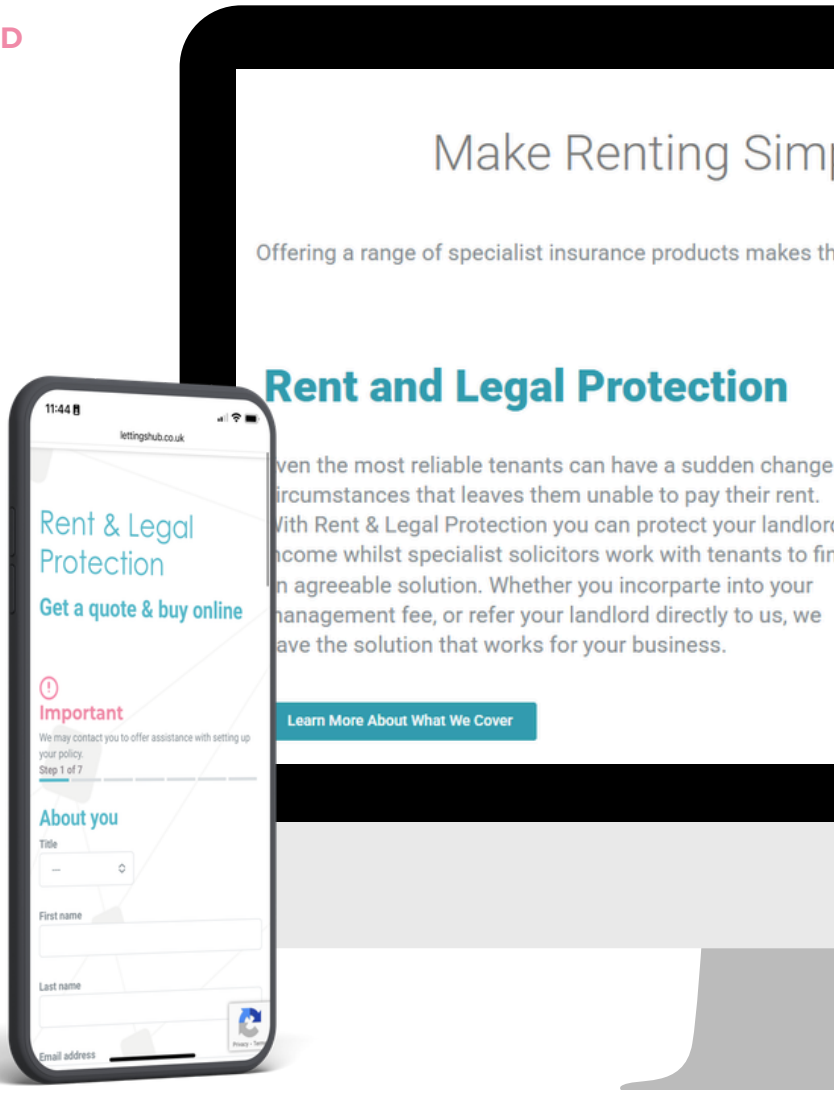
### DID YOU KNOW OUR AGENT-OWNED RENT AND LEGAL PROTECTION WILL:

1 | Protect your landlords against non-payment of rent, as well as extended and complex eviction processes.

2 | Provide early intervention on rent arrears because our in-house mediation service is included as standard with every policy and achieves out of court resolution in 50% of cases.

3 | Offer access to expert support, ensuring every possession notice served on behalf of your landlord does the job. First time.

DISCOVER MORE



## Look Out For Future Issues In Our 10-Part Special

Watch out for our full series of info sheets – comprehensive guides to the changes we can expect in the Bill, including:

- Preparing For The Removal Of Section 21 Notices.
- Section 8 Notices | Expanded Grounds And Notice Periods.
- Rent In Advance | When It Is, And Isn't Allowed.
- Fixed Term Tenancies | What You Need To Know.
- Increasing Rents Using A Section 13 Notice.
- Pets In Lets | Creating (And Protecting) Pet Friendly Tenancies.
- Students Lets | Your Definitive Guide.
- Renters' Rights Bill | Where Are We Now? Back In The House Of Lords.
- Decent Homes Standards And Awaabs Law.
- Rent Repayment Orders And Penalties.




BOX FROM THE LETTINGS HUB

At The Lettings Hub, we're always here to support you through the ever-changing lettings landscape. With the Renters' Rights Bill introducing new regulations, staying updated is crucial. That's why we offer a variety of resources to help you navigate these changes smoothly. From webinars and blogs to tailored guides, our platform is packed with expert insights. Be sure to follow us on LinkedIn and bookmark our Renters' Rights Hub for the latest updates, tips, and advice.

