

REPORT TO CABINET

16 JULY 2026

REPORT OF CORPORATE
MANAGEMENT TEAM

CABINET DECISION

Cabinet Member for Housing & Transport – Lead Cabinet Member – Councillor
Richard Eglington

Enforcement & Regulatory Policy (Housing)

Summary

The Renters Rights Act received Royal Assent on the 27 October 2025. It is a significant and transformative piece of legislation intended to strengthen protections for private tenants and rebalance landlord-tenant relationships.

With effect from the 27 October 2025 the Act introduced a significantly expanded civil penalty framework and places new duties on Councils to enforce a broader range of landlord obligations. This includes additional compliance requirements, enhanced penalties for repeat or serious non-compliance, and clearer expectations that enforcement activity is carried out in a fair, consistent and proportionate manner. The Council's existing Private Sector Housing Enforcement Policy v6 (published in 2024) no longer reflects the current legislative position. This report therefore seeks approval for the updated (and renamed) *Enforcement & Regulatory Policy (Housing)*.

Reasons for Recommendation(s)/Decision(s)

Updating our existing policy is essential to ensure that the Council can meet its new statutory obligations of the Renters Rights Act. Without an up-to-date Enforcement & Regulatory Policy (Housing) there is a risk of inconsistent enforcement, increased potential for legal challenge and a reduced ability to demonstrate compliance with statutory guidance and best practice.

Our work to improve standards and conditions in the private rented sector directly contributes to ambitions set out in the Stockton-on-Tees Plan, particularly the *Healthy and Resilient Communities* priority and *A great place to live, work and visit*.

Recommendations

Cabinet is asked to:

1. Agree the updated Enforcement & Regulatory Policy V7 (Housing) copy attached at **Appendix 1**.
2. Pending the approval of recommendation 1, note that the updated Enforcement & Regulatory Policy (Housing) will apply to offences from the point of adoption and will run

alongside the Private Sector Housing Enforcement Policy (v6) for a transitional period to enable legacy cases to be concluded (for an approximate 6-month period).

3. Delegate authority to the Director of Adults, Health & Wellbeing in consultation with the Cabinet Member for Housing & Transport to make any necessary revisions or amendments to the Enforcement & Regulatory Policy (Housing) as may be required arising from the phased implementation stages of the Renters Rights Act (a summary of the implementation stages are summarised in **Appendix 2**), and/or any further updates made by Government to relevant powers or regulations available to Councils to address unsafe housing conditions and protect tenants.

Detail

Background

1. Stockton's rented sector represents 33% of the total housing stock. This equates to around 28,000 homes being rented either through social housing providers or private landlords (2021 census data).
2. The Renters Rights Act 2025 (The Act) represents the most significant reform of the private rented sector in a generation. It aims to improve security, fairness and standards for tenants while strengthening enforcement powers for local authorities. The key changes, intended to reinforce tenant rights, reduce retaliatory evictions, and promote long-term stability within the sector include:
 - *Section 21 abolished*: landlords can no longer evict tenants without a valid reason.
 - *No more fixed-term tenancies*: fixed term Assured Shorthold Tenancies are replaced with a new standard Assured Periodic Tenancy (a rolling open-ended tenancy giving renters more flexibility; tenants can leave with two months' notice).
 - *Fairer rent increases*: rents can only be increased once a year and tenants can challenge unfair rises.
 - *Upfront rent capped*: landlords can request no more than one month's rent in advance.
 - *Discrimination banned*: it is illegal to refuse tenants because they receive benefits or have children.
 - *Pets more easily allowed*: tenants can require a pet, and landlords must consider requests reasonably.
3. The Act has important implications for local authorities and brings forward a number of key changes to the way housing enforcement will be delivered, in summary;
 - i. *New statutory duties*: Local Authorities have additional legal obligations related to housing standards and to address tenancy mismanagement.
 - ii. *Increased enforcement*: Local Authorities have a duty to act upon new offences requiring an increase in monitoring and compliance relating to both property standards.
 - iii. *Introduction of offences*: Multiple new offences have been created, enforceable through civil penalties as an alternative to prosecution.
 - iv. *Enforcement responsibilities*: Local Authorities must serve these penalties when offences occur.
 - v. *Ring-fenced income*: Any revenue generated from civil penalties must be reinvested exclusively into private sector housing enforcement.
4. The Act will be implemented in phases as detailed in **Appendix 2**. In summary the key dates include:

<i>27 December 2025:</i>	New enforcement measure and investigatory powers
<i>1 May 2026:</i>	Tenancy Reform measures go live
<i>Late 2026:</i>	Private Rented Sector database goes live (regional roll out)
<i>2027:</i>	Tenancy Reform measures for Registered Providers go live
<i>2028:</i>	Private Rented Ombudsman goes live
<i>TBC:</i>	Awaab's Law Private Rented Sector goes live
<i>TBC:</i>	Decent Homes Standard for Private Rented sector goes live

5. The existing Private Sector Housing Enforcement Policy (v6) has to date demonstrated its effectiveness in providing a legal framework to support robust, fair, and proportionate regulation of housing standards, however as noted previously does not reflect The Act. In addition, enforcement of private rented sector legislation has varied significantly between local housing authorities. Differences in local policy frameworks, penalty setting mechanisms, and escalation have led to similar breaches resulting in different enforcement outcomes for private landlords across different authorities. This inconsistency can undermine tenant protections, reduce confidence in the regulatory system and create uncertainty for landlords operating across multiple areas. It may also increase the likelihood of challenge to enforcement decisions.
6. The Renters Rights Act (section 107) promotes joint working with other enforcement services within the Council, and regionally and nationally, to address joint or continuing offences by landlords who operate non-compliance as a business model and are not constrained by local authority boundaries. In response to these concerns, the Association of Chief Environmental Health Officers in partnership with local authorities and Justice for Tenants (a not-for-profit advice organisation dedicated to raising standards for renters) have developed a suite of national model policies, including a Civil Penalty Policy and an Enforcement Policy. Our updated Enforcement & Regulatory Policy (Housing) has been updated to include the new elements of the Act and align the Council's policies to the nationally recognised framework and model enforcement policy. This will promote greater consistency, transparency and robustness in our policy, support joint working with our regional / national partners, whilst allowing for appropriate local discretion.
7. Members are asked to note that, subject to agreement, the Enforcement & Regulatory Policy (Housing) will apply to offences from the point of adoption (the date of Cabinet approval) and will operate alongside the current Private Sector Housing Enforcement Policy (v6) for a transitional period. This will enable legacy cases to be concluded and to ensure the correct policy is applied (to be determined by the date on which the offence was committed). This approach ensures fairness and legal certainty for ongoing cases, avoids retrospective application of policy, and allows the Council to conclude enforcement activities initiated prior to the Renters Rights framework. Once legacy cases have resolved, the Private Sector Housing Enforcement Policy (v6) will be formally withdrawn, leaving a single, updated policy framework in place.
8. Cabinet is asked to note, that as the Act also includes tenancy related reforms (summarised in paragraph 2) the Enforcement & Regulatory Policy (Housing) will be utilised by both the Private Sector Housing and Homelessness Service Teams. This will support joint enforcement activity under a single, cohesive policy framework. Relevant officers across both service teams will be given appropriate delegated authority, in line with the Councils existing Scheme of Delegation, to exercise existing, amended and new powers.
9. As noted in paragraph 4 and in **Appendix 2**, the Act will be implemented in phases. As each phase is introduced and further Government guidance issued, it may be necessary

to make changes to the Enforcement & Regulatory Policy (Housing). On this basis, Cabinet is asked to delegate authority to the Director of Adults, Health & Wellbeing in consultation with the Cabinet Member for Housing & Transport, to approve any necessary revisions or amendments to the Enforcement & Regulatory Policy (Housing) arising from the phased implementation of the Act and/or any further updates made by Government to relevant powers or regulations available to Councils to address unsafe housing conditions and protect tenants. Given the evolving position, delegated authority will enable the Council to respond promptly to changes, rather than delaying until all updates and timelines are fully confirmed.

Next Steps

10. Members are asked to note that agreeing an updated Enforcement & Regulatory Policy (Housing) is one of the ways in which the Council is preparing for the introduction of the Act. To ensure a timely and appropriate response preparatory work has been ongoing on a cross-service basis. This includes the use of New Burdens funding to support our capacity requirements and up-skill existing colleagues, alongside a review of all relevant policies and working procedures, reviewing our monitoring systems to ensure we can provide the information required by Government, with the introduction of new mandatory returns, updating the Councils website to support tenants understand the key changes, and engagement with private sector landlords. Officers have and will continue to work closely with other LA's as part of a regional group and is a member of the Governments JIGSAW network. This network is funded by Government to support Local Authorities in preparing for the new legislation and promotes collaboration across PRS teams in England and supporting readiness for Renters' Rights reforms. This network allows LA's access to an online community, knowledge HUB and shares best practice.

Community Impact and Equality and Poverty Impact Assessment

11. An Equality and Poverty Impact Assessment (EPIA) has been completed to ensure that the council is following its legal duties and that we are promoting equality and divert within the Councils decision-making processes. The conclusion of the EPIA is the updated Enforcement & Regulatory Policy (Housing) will have a positive impact on children, older adults and people with chronic health conditions and those in low incomes who are most affected by poor housing conditions.

Corporate Parenting implications

12. There are no corporate parenting considerations arising from this report.

Financial Implications

13. New Burdens Funding has been provided to Local Authorities for period 2025/2026 and 2026/2027 to the value of £331,485 to support the implementation of the new legislation and capacity building. These monies will be managed within current approved budgets, with implementation activity aligned to enhancing staffing support and adding capacity to enforcement structures.
14. Going forward Government expects local Authorities to generate income from issuing civil penalties which must be ring-fenced for supporting housing enforcement.

Legal Implications

15. As set out in the body of the report and **Appendix 2**, the Renters Rights Act is transformational legislation, introducing significant legal changes and new responsibilities in relation to the Council's enforcement powers.

Risk Assessment

16. The adoption of the updated Enforcement & Regulatory Policy (Housing) is categorised as low to medium risk. Existing management systems and daily routine activities will be undertaken to control and reduce risk.

Wards Affected and Consultation with Ward/ Councillors

17. Given the nature of the private rented housing sector (prevalent in all wards) the updated Enforcement & Regulatory Policy (Housing) may be used to support tenants in private rented housing in all areas of the borough.
18. To raise awareness of the Renters Rights Act a member briefing was held on the 26th of May 2026.

Background Papers

None

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Supporting Appendix Information:

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| Appendix 1 | Enforcement & Regulatory Policy (Housing) v7 |
| Appendix 2 | Renters Rights Act, summary of implementation stages |