



Justice for Tenants (JFT) – Renters’ Rights Act 2025: Housing Enforcement, Civil Penalties and HMO Licensing

Decision maker: Cabinet member roads and regulatory services

Decision date: 15 May 2026

Report by: Head of Regulation and Technical Services

Classification

Open

This report is open but an appendix is exempt by virtue of the paragraph(s) of the Access to Information Procedure Rules set out in the constitution pursuant to Schedule 12A of the Local Government Act 1972, as amended.

- 1 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Decision type

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

This report seeks approval to adopt a revised private rented sector enforcement framework comprising:

- Adoption of the Justice for Tenants (JFT) Housing Enforcement Policy;
- Adoption of the JFT Civil Penalty Policy and matrix;
- Adoption of the JFT standard HMO licence conditions as the Council’s standard conditions; and
- Approval to enter into a JFT Group Services Contract, subject to legal review and agreement prior to execution.

Justice for Tenants (JFT) is a specialist organisation supporting local authorities with the implementation of civil penalties and private rented sector enforcement. JFT has developed model enforcement policies aligned to the Renters' Rights Act 2025, and supports local authorities through policy development, training, quality assurance and tribunal preparedness. The JFT model is currently used by a significant number of local authorities nationally.

The purpose of the report is to ensure the Council is legally compliant, operationally ready and able to deliver consistent, transparent and defensible enforcement of housing standards and landlord legislation under the new statutory regime.

The proposed framework comprises the policies set out in Appendices 1–3. The draft Group Services Contract is included at Appendix 4 (exempt) for completeness and legal context.

Recommendation(s)

That:

- a) The Justice for Tenants (JFT) Housing Enforcement Policy be adopted;**
- b) The JFT Civil Penalty Policy and matrix be adopted;**
- c) The JFT standard HMO licence conditions be adopted as the Council's standard conditions for HMO licensing; and**
- d) Authority be given to enter into the JFT Group Services Contract, subject to legal review and agreement prior to execution.**

The JFT policies have been selected because they are specifically designed to align with the new statutory enforcement duties and accompanying guidance under the Renters' Rights Act 2025. Adoption of the policies does not require entry into a support contract. Any engagement with JFT support services contract would be subject to legal review and compliance with the Council's Contract Procedure Rules.

Alternative options

- 1. Adopt the JFT policies and licence conditions without entering into the JFT support contract.**

This option would achieve formal legislative compliance but would require all implementation, training, quality assurance and appeals preparation to be managed internally. This option is legally permissible; however, officers consider it would increase early-stage delivery and legal risk. This would increase operational risk during the early stages of the new regime and place additional pressure on officer capacity. This option is not recommended.

- 2. Undertake limited engagement with JFT (e.g. training or tools only) without adopting the full policy framework.**

This option would result in misalignment between adopted policy, statutory duties and operational tools, increasing the risk of inconsistent enforcement outcomes and successful challenge. This option is not recommended.

- 3. Retain the existing enforcement framework and make incremental changes once the Act is live.**

This option would leave the Council operating under policies that do not adequately reflect the statutory duty to enforce and would expose the authority to increased legal, operational and reputational risk. This option is not recommended.

Key considerations

4. This report seeks approval to adopt a revised private rented sector enforcement framework in preparation for the commencement of the Renters' Rights Act 2025 on 1 May 2026.
5. The proposals go beyond a narrow policy update and are intended to ensure the Council enters the new statutory regime with a clear and defensible enforcement narrative, transparent decision-making tools, and licensing conditions that support enforceability. The framework is intended to reduce inconsistency and strengthen defensibility under tribunal scrutiny from 1 May 2026.
6. The Renters' Rights Act 2025 introduces a statutory duty on local housing authorities to enforce landlord legislation where breaches occur and significantly expands the role of civil penalties as the primary enforcement mechanism.
7. The Council's existing Housing Enforcement Policy, civil penalty approach and HMO licence conditions were developed under a discretionary enforcement framework and do not fully reflect the requirements or expectations of the new regime. The new regime introduces mandatory reporting requirements to central government on enforcement activity and outcomes, increasing transparency and external scrutiny of local authority decision-making.
8. The proposed JFT policy framework provides a coherent and integrated approach to enforcement, aligning enforcement narrative, penalty calculation and licensing conditions.
9. The proposed policy suite comprises Justice for Tenants (JFT) policies that have been rebadged for national distribution by the Association of Chief Environmental Health Officers (ACEHO); for governance purposes they should be treated as JFT-authored and JFT-maintained documents.
10. Adoption of the framework will improve consistency in decision-making, reduce subjectivity, and strengthen the Council's ability to defend enforcement decisions at tribunal.
11. The decision maker's role is to approve the adoption of the revised framework and authorise progression of the supporting contract, subject to legal review.
12. Performance will be monitored through existing regulatory performance reporting, including enforcement outcomes, appeal success rates and compliance trends.

Community impact

13. The proposals support the Council's wider objectives around safe, decent housing, public health and protection of vulnerable residents.
14. Improved enforcement consistency contributes to fair treatment of compliant landlords and increased confidence in regulatory activity.

Environmental impact

15. This decision supports improved housing standards, including energy efficiency and safe living conditions, contributing indirectly to the Council's environmental and climate objectives.
16. Whilst this decision relates primarily to regulatory and policy functions and has minimal direct environmental impact, implementation will seek to minimise waste, reduce paper usage and make use of digital tools wherever possible, in line with the Council's Environmental Policy.

Equality duty

17. The Public Sector Equality Duty has been considered in the development of the proposed framework.
18. An equality impact screening has been completed and indicates low impact.
19. Due to the potential impact of this decision being low, a full Equality Impact Assessment is not required. However, equality considerations include:
 - ensuring enforcement activity is applied consistently and proportionately;
 - recognising the disproportionate impact of poor housing conditions on vulnerable groups; and
 - ensuring clear communication of enforcement expectations.
20. In addition, the Renters' Rights Act 2025 introduces new measures intended to reduce discrimination and improve conditions within the private rented sector. Adoption of a consistent, transparent enforcement framework is expected to have a positive impact on tenants with protected characteristics who are disproportionately affected by poor housing conditions.
21. The proposals may have a positive indirect impact on children in care, care leavers and care-experienced young people, who are disproportionately represented in insecure or poor-quality private rented accommodation.

Resource implications

22. The adoption of the policies and licence conditions does not, in itself, create new budget commitments.
23. The council has received a budget of £2000.00 from XXXX to access support services from the JFT contract. The contract also enables optional services to be accessed on a usage-based or success-based model. Any costs arising beyond the £2,000 funded support will be met from existing Regulatory Services revenue budgets within Housing and Public Protection (C05041)..
24. There are no immediate capital or revenue budget implications requiring amendment to the Medium Term Financial Strategy.

Legal implications

25. The Renters' Rights Act 2025 has made significant changes to the law relating to private rented housing including a statutory duty on local housing authorities to enforce landlord legislation where breaches occur as detailed within this report. Adoption of and adherence to the new policies will ensure compliance with the statutory regime which is due to come into force on 1 May 2026.
26. The JFT Group Services Contract will be reviewed by legal services before completion and to ensure compliance with the Contract Procedure Rules.

Risk management

27. The principal risks relate to inconsistent enforcement, increased appeal success and reputational harm if the Council enters the new regime without an updated framework.
28. These risks are mitigated by adoption of a clear, structured and tribunal-informed policy framework.
29. Risks and mitigations are:

Risk	Mitigation
Inconsistent enforcement decisions	Adoption of structured policies and matrices
Increased appeal success	Improved evidential clarity and consistency
Capacity pressures	Optional access to specialist support

30. Risks will be managed at service and directorate level and recorded in the appropriate risk register.

Appendices

Appendix 1: JFT Housing Enforcement Policy

Appendix 2: JFT Civil Penalty Policy and matrix

Appendix 3: JFT Standard Mandatory HMO Licence Conditions

Appendix 4: Draft JFT Group Services Contract – **exempt**

Background papers

None

Glossary of terms, abbreviations and acronyms used in this report

JFT – Justice for Tenants

CPN – Civil Penalty Notice

HMO – House in Multiple Occupation

ACEHO - Association of Chief Environmental Health Officers