



The regulation of private sector letting and managing agents (England)

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There is no overarching statutory regulation of private sector letting or managing agents in England or any legal requirement for them to belong to a trade association, although many letting and managing agents submit to voluntary regulation. Growth in the private rented sector (it is now the second biggest tenure in the country after home ownership) means that standards of accommodation, rent levels and the lack of regulation is generating increased attention.

The Government does not intend to introduce regulation in the sector and has pointed instead to the existing range of available powers under consumer protection legislation. However, an amendment to the *Enterprise and Regulatory Reform Act 2013* enabled the Government to require agents to sign up to a redress scheme. [The Redress Schemes for Lettings Agency Work and Property Management Work \(Approval and Designation of Schemes\) \(England\) Order 2013](#) (SI 2013/3192) came into force on 13 December 2013. The Order set out the criteria and process for approving redress schemes. On 15 April 2014 the Government announced that it had approved three redress schemes "that all letting and property management agents will be required to join later this year." The [Redress Scheme for Lettings Agency Work and Property Management Work \(Requirement to Belong to a Scheme etc\) \(England\) Order 2014](#) made membership of a scheme a legal requirement with effect from 1 October 2014. The Government has also amended the *Consumer Rights Bill* (currently progressing through Parliament) to require letting agents to publish a full tariff of their fees.

A new [Code of Practice](#) on the management of property in the private rented sector was published in October 2014 while a voluntary [model tenancy agreement](#) "which landlords and tenants can use for longer tenancies, which will provide extra security and stability for families" was published in September 2014.

The Department of Communities and Local Government published a guide for local authorities: [Dealing with rogue landlords](#) (August 2012) and [How to rent: the checklist for renting in England](#) on 10 June 2014. Consultation on a [draft Tenants' Charter](#) began on 16 October 2013.

The Government considers that the present legal framework strikes the right balance between landlords and tenants and that new regulations would "introduce too much additional red tape".

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1 Current position: no overarching statutory regulation

1.1 What is a letting/managing agent?

A landlord might appoint a letting agent to find tenants and/or a managing agent to manage property on the landlord's behalf. Many letting agencies will offer both letting and full management services. Managing agents include organisations managing long leasehold properties and leasehold blocks of flats.

1.2 Are letting/managing agents regulated?

There is currently no overarching statutory regulation of private sector letting agents although they are subject to consumer protection law (see section 1.3 below). There is no legal requirement for a letting agent to belong to a trade association; many letting agents do submit to voluntary regulation. In May 2009, the previous Government indicated the extent of voluntary arrangements at that time:

35. In 2002 we established the National Approved Letting Scheme (NALS) as an independent voluntary regulatory body for letting agents and management agents and we have been encouraged by the way in which the organisation has grown and developed. Industry-led organisations such as the Association of Residential Letting Agents (ARLA) and the Royal Institution of Chartered Surveyors (RICS) have also done excellent work in introducing and encouraging a responsible, regulatory approach to residential managing and letting agents' work.

36. However, of the estimated 8,000 managing and letting agents in England, only about half belong to any of these organisations. Therefore, the voluntary approach to regulation has not been successful in ensuring that all agents reach the same standard and have the right protections.¹

1.3 Requirement to join a redress scheme

A Government amendment to the *Enterprise and Regulatory Reform Bill* gave the Secretary of State power to make an order requiring letting and managing agents of privately rented and residential leasehold homes to belong to a redress scheme.²

The Act received Royal Assent on 25 April 2013. [The Redress Schemes for Lettings Agency Work and Property Management Work \(Approval and Designation of Schemes\) \(England\) Order 2013](#) (SI 2013/3192) came into force on 13 December 2013.³ This Order set out the procedure that applies where an application for approval is made; the conditions that must be satisfied before the Secretary of State may approve a redress scheme; the conditions that must be satisfied before the Secretary of State may designate a scheme as a Government administered redress scheme; and the procedure that is to apply where the Secretary of State decides to withdraw the approval of a redress scheme or revoke the designation of a Government administered redress scheme.

The Government fleshed out the meaning and purpose of the various articles in the Order in: [The redress schemes for lettings agency work and property management work: conditions](#)

¹ Department for Communities and Local Government, "[The private rented sector: professionalism and quality](#) *The Government response to the Rugg Review Consultation*", May 2009

² HC Deb 16 April 2013 c223

³ The Order was subject to the affirmative procedure and was considered in [Grand Committee in the House of Lords on 26 November 2013 cc518-28](#) and by the [Sixth Delegated Legislation Committee \(2013-14\) House of Commons on 26 November 2013 cc3-8](#).

for approval.⁴ Guidance on how to apply for approval of a redress scheme was also published in December 2013: *Instructions for redress schemes covering lettings agency work and property management work seeking government approval*.⁵ Applications had to be submitted by 28 February 2014.⁶

On 15 April 2014 the then Minister, Kris Hopkins, confirmed that 3 compulsory redress schemes had been approved - The Property Ombudsman; Ombudsman Services Property; and The Property Redress Scheme.

The Redress Scheme for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 (SI 2014/2359) made membership of a scheme a legal requirement with effect from 1 October 2014. The Order provides for complaints against members of the scheme to be investigated and determined by an independent person. The SI empowers local authorities to enforce compliance by imposing a fine of up to £5,000 for non-compliance, with a right of appeal to the First Tier Tribunal.

1.4 Information for landlords and tenants (unfair contract terms, fees etc)

The Department for Communities and Local Government (DCLG) has published a series of booklets for private tenants and landlords which are accessible online, including:

- *Assured and assured shorthold tenancies: a guide for landlords.*
- *Assured and assured shorthold tenancies: a guide for tenants.*
- *Regulated Tenancies*
- *Residential Long Leaseholders A guide to your rights and responsibilities*

The most recent guide for tenants was published by DCLG on 10 June 2014: *How to rent: the checklist for renting in England*.

A new voluntary *Code of Practice* on the management of property in the private rented sector was developed by the Royal Institute of Chartered Surveyors (RICS) with other industry bodies and published in October 2014.⁷ There is a possibility that this Code will be put on a statutory footing. A voluntary *model tenancy agreement* "which landlords and tenants can use for longer tenancies to provide extra security and stability for families" was published in September 2014.

A DCLG guide for local authorities: *Dealing with rogue landlords* was published in August 2012. There is also an intention to publish "extra guidance for local councils on tackling rogue landlords, protecting tenants from illegal evictions and how best to push for harsher penalties before magistrates for housing offences."⁸

⁴ DCLG, *The redress schemes for lettings agency work and property management work: conditions for approval*, December 2013

⁵ DCLG, *Instructions for redress schemes covering lettings agency work and property management work seeking government approval*, December 2013

⁶ *Ibid*, paras 2.3-2.4

⁷ RICS, *Private rented sector code of practice*, October 2014

⁸ DCLG Press Release, 10 June 2014

[Shelter's website](#) provides guidance on how to find a reputable letting agency and includes information on the fees they can levy.⁹ A separate section provides guidance on [how to complain about a letting agency](#).

In the parliamentary answer reproduced below, in addition to confirming the Government's position on regulation, the Minister provided information on challenging unfair agency fees:

Asked by Lord Browne of Ladyton

To ask Her Majesty's Government whether they will regulate landlords and letting agents, in the light of the increase in the number of young people unable to afford a deposit to buy a home; and, if so, how.

The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Hanham): Letting and managing agents are already subject to consumer protection legislation. Consumer protection legislation covers issues such as giving false or misleading information, not acting with the standard of care and skill that is in accordance with honest market practice and claiming falsely to be a member of a professional body or approved redress scheme. For tenants or landlords who are charged unfair or unreasonable fees by an agent, this means that they are able to report this to their local trading standards officer or to the Office of Fair Trading which has both civil and criminal enforcement powers. Further information on the consumer protection legislation is available at:

www.offt.gov.uk/sharedoft/businessleaflets/cpregs/oft1008.pdf and on unfair terms at: www.offt.gov.uk/businessleaflets/unfair_contract_terms/oft143.pdf.

In addition, between a third and a half of all agents belong to voluntary schemes which set standards and offer redress if things go wrong. In the light of these existing schemes, we have no current plans to introduce further statutory regulation. Disproportionate regulation on the private rented sector would push up rents and reduce the choice and availability of accommodation on offer to tenants.

I also refer the noble Lord to the Written Ministerial Statement of 6 September 2012 (Official Report, col. 30WS) on the steps that the coalition Government are taking to provide more homes both to rent and buy.¹⁰

In its [Lettings Market](#) report (February 2013) the Office of Fair Trading (now the Competitions and Markets Authority, CMA) concluded that greater compliance with existing laws would deal with a number of common complaints and stated an intention to produce additional guidance:

In order to support better compliance with consumer protection law in particular we will be producing and consulting on two guidance documents as to how consumer protection law applies.¹¹

Following a consultation exercise, the new CMA guidance was published on 13 June 2014, [Consumer protection law guidance for lettings professionals](#), alongside a further document: [Key principles for lettings professionals](#).

⁹ A survey conducted by Shelter, the [results of which were published in September 2012](#), found that one in four people had been charged unfair fees by letting agents in England.

¹⁰ HL Deb 15 October 2012 WA444-5

¹¹ OFT1479 para 1.6

In March 2013 the Advertising Standards Authority upheld a complaint against Your Move UK Ltd concerning lack of transparency over administration fees chargeable in relation to a rented property:

We told YML to ensure that their ads made clear when non-optional fees and charges, that could not be calculated in advance, were excluded from quoted prices, and to provide enough information to allow the consumer to establish easily how further charges would be calculated.¹²

The Committee of Advertising Practice (CAP) subsequently issued [guidance](#) on non-optional fees in adverts for rental properties in September 2013. The CAP has been monitoring adverts for compliance in all media since 1 November 2013.¹³

1.5 The Consumer Rights Bill - transparency over fees

On 13 May 2014 the Government said it would table an amendment to the [Consumer Rights Bill](#)¹⁴ to "require all letting agents to publish a full tariff of their fees - both on their websites and prominently in their offices. Anyone who does not comply with these new rules will face a fine – a much stricter penalty than currently exists."¹⁵ The new provisions are contained in Chapter 3 of Part 3 to the Bill (currently clauses 81-86).

The Government intends to review the requirement for greater transparency over fees after 12 months of operation "to confirm it is delivering the expected benefits, and review whether any further steps are needed."¹⁶

2 The case for and against additional regulation

2.1 Issues and evidence

There is a growing body of research on standards within the private rented sector; for example, the Resolution Foundation published [Renting in the dark: creating a lettings market that works for tenants](#) in December 2011 in which it referred to "a lack of consumer confidence and professionalism in parts of the market" which have resulted in "numerous calls from the industry, tenant and landlord groups for regulation." In November 2012 the consumer organisation Which? published research into the consumer experience of the lettings market, [Renting Roulette](#), which identified the following "widespread" problems:

- **Tenants disempowered and dissatisfied:** three quarters of tenants (73%) search for a property not the agent, yet lettings agents are ranked second from the bottom in our comparison of markets and one in five tenants told us they are dissatisfied with their agent.
- **Unexpected and unfair fees:** we found less than a third of tenants said agents (29%) provided information about fees before they asked, 41% of tenants thought upfront fees were unfair and none of the 32 lettings agents we looked at had information on tenant fees on their website.
- **Widespread bad practice:** we found evidence of agents using aggressive sales tactics, poor customer service, missing appointments and misleading tenants through out-of-date advertisements.

¹² ASA Adjudication on [Your-move.co.uk Ltd](#), March 2013

¹³ CAP, [Guidance on non-optional fees in rental agreements](#), September 2013

¹⁴ This Bill has been carried over from the 2013-14 Session and is currently progressing through Parliament.

¹⁵ DCLG Press Release, [Fees transparency to ensure a fair deal for landlords and tenants](#), 13 May 2014

¹⁶ *ibid*

- **Tenants and landlords losing money:** both tenants and landlords were found to have lost money through agents not passing on rent, unfairly handling holding deposits or failing to put deposits into protection schemes, as they are required by law.¹⁷

Which? called for:

...increased consumer protection in the lettings market by extending the legal protection for people buying and selling property to those renting. This would mean lettings agents would be covered by the same legislation as estate agents, which would also require them to sign up to an ombudsman scheme. By changing the legislation, the Office of Fair Trading would also have the power to ban lettings agents that break the rules.

We also want to see increased transparency with lettings agents including fees in the headline price and made clear at the point of sale, in adverts and on websites. Agents should also provide full details of the terms and conditions of the agreement before any upfront fees are paid.¹⁸

[See section 1.3 of this note for information on the new requirement on agents to join a redress scheme. Section 1.5 explains Government measures to improve transparency over letting agents' fees]

The online lettings agency [Rentify](#) carried out its own research into average letting fees:

New research conducted here at Rentify has revealed just how extortionate average letting agent fees are. The charges just for renting a one-bedroom apartment in London could go as high as a staggering £600 (an agent in East Ham) with the average for the capital coming out at £220. The picture is not much rosier elsewhere in the UK: Bristol has the highest average fees of £251 and Liverpool the lowest with £137, which is still the equivalent of 6 weeks food shopping for the average person. Here are Rentify's full findings: [UK Letting Agent Fees Infographic](#)

These figures are especially outrageous given how opaque they are. Agents are often wholly disingenuous about what the fees are paying for. We found that any additional fees that are charged on top of the standard deposit and one month's advance rent are contributed to drafting the tenancy agreement and credit and reference checks. As experts in this field ourselves, we cannot understand how they justify such charges for this work. In fact our own calculations put the average hourly rates of such letting agents in London at £146! The average fee for a credit check was £50 and when you consider [Rentify charges just £15 for a full credit and reference check](#) you can begin to see how extortionate these averages are.¹⁹

The housing charity, Shelter, has actively campaigned for local authorities to be required to operate landlord accreditation schemes in order to improve standards for private renters and to help people to avoid rogues.²⁰ Shelter is running an “[evict rogue landlords](#)” campaign. June 2013 saw publication of [Letting Agencies: The Price You Pay](#) in which Shelter called for:

¹⁷ Which? [Press Release](#), 24 November 2012

¹⁸ *ibid*

¹⁹ [Rentify Research: Astronomical and opaque letting agent fees](#), October 2013

²⁰ Shelter Campaign briefing, [Landlord accreditation](#), April 2010

...new legislation to ensure that renters cannot be charged for the costs of setting up a tenancy. This is part of the core service provided by agencies for landlords and should be factored into their pricing accordingly.²¹

Shelter is also campaigning for the abolition of letting agency fees in England based on the Scottish experience, where these fees have been unlawful since 30 November 2012.

This research demonstrates that renters, landlords and the industry as a whole has benefited from banning fees to renters in Scotland. It highlights that this change could be implemented in England without significant impact on the viability of the industry, or rents.²²

[See section 3.6 for more information on Scotland's approach to the PRS]

At Public Bill Committee stage of the *Localism Act 2011* Alison Seabeck, Shadow Minister for Communities and Local Government, sought to insert a new clause which would have placed a duty on local authorities to operate a voluntary accreditation scheme for private landlords. She argued that there was support in the industry for regulation in order to raise standards of management and "drive out cowboys."²³ The Committee divided on the new clause which was rejected by 14 votes to 7.²⁴ Further information about the housing provisions in the *Localism Act* is available in two Library research papers, [Localism Bill: Committee Stage Report](#)²⁵ and [Localism Bill: Planning and Housing](#).²⁶

OFT's [Lettings Market](#) report (February 2013) highlighted a growing number of complaints received by the Property Ombudsman:

In 2011 the Property Ombudsman dealt with 7,641 letting enquiries, an increase of 26 per cent on 2010 figures. Our Intelligence Report based on Consumer Direct complaint analysis identified that 'fees and charges' represented the main area of concern for landlords and tenants as almost a third (30 per cent) of all complaints fall into this category. Agents tend to charge fees to both landlords and tenants for their services. 'Agents providing poor service' was the second most complained about area, with 23 per cent of complaints being about this.²⁷

OFT (now CMA) concluded that participants in the market "should have access to an adequate redress mechanism so that any problems that may arise are dealt with quickly and easily."²⁸ In summary, OFT said that, in order to work more effectively, the market requires:

- improved up-front information provision – particularly in relation to fees and charges;
- initiatives to help in assessing quality and compare letting agency services;
- a general redress mechanism;
- more consistency within the industry (e.g. in the way a tenant's suitability is assessed);

²¹ Shelter, [Letting Agencies: The Price You Pay](#), June 2013

²² Shelter, [End Letting Fees: Lessons from the Scottish lettings market](#), June 2013, p3

²³ PBC 3 March 2011 c777

²⁴ PBC 10 March 2011 cc953-5

²⁵ RP11/32

²⁶ RP11/03

²⁷ OFT1479 para 2.5

²⁸ OFT1479 para 2.20

- mechanisms to protect money; and
- an agreed enforcement strategy.

The OFT report set out the following “next steps:”

Ideally, we would like the UK Government, industry, enforcers, and those involved in consumer empowerment and education to work together, to devise and deliver an agreed strategy to raise standards within the lettings sector.

For the UK Government to consider:

a) Whether it would be beneficial to require agents to sign up to a code of practice, or join a redress scheme, and give some thought to what sanctions would be required to support this obligation. Whilst such a requirement may have obvious benefits in terms of providing redress, there would also be implications such as the financial burdens this might place on business (and attendant potential increase in costs for consumers and reduction in competition). We think it is also important to consider this in light of the European Commission's draft Directive on alternative dispute resolution for consumer disputes (Directive on consumer ADR) and a draft Regulation on online dispute resolution for consumer disputes (Regulation on consumer ODR).

b) Whether the level of consumer protection law coverage is right in the context of the lettings market, and if not whether any legislative changes should be made to deal with this. This could be in the context of a wider review of consumer protection law.

c) The benefit of introducing any elements of other regulatory regimes into the lettings framework in England. This should include assessing the effectiveness and impact on the market of the reforms enacted by the devolved administrations, and in particular whether greater regulation of landlords would be likely to constrain supply of properties to tenants, which could lead to higher prices for tenants.

For UK Government and industry to:

d) Discuss if more could be done for landlords and tenants to understand and compare what existing codes offer, so they can more easily make informed choices and know what to look for when trying to find a good letting agent.

e) Think about the feasibility of 'portable' reference checks, so that consumers could provide and reuse reference and credit checks, instead of paying for this service each time they try to secure a property.

For industry bodies to think about the feasibility of introducing common principles to achieve more consistency, so tenants' experience in the renting process is more predictable, and it is easier to shop around for properties, while not inhibiting beneficial innovation.

The Local Government Association (LGA) has expressed its support for measures to tackle “extortionate” letting agency fees.²⁹

The [Property Ombudsman's 2012 Annual Report](#) (February 2013) expressed support for strengthened regulation in the private rented sector:

The third aspect for me to highlight is the lack of development of any regulatory regime for the lettings sector. In the introduction to my Annual Report as far back as 2008 I

²⁹ LGA [Press Release](#), 4 February 2013

was signalling the shift of consumers out of property ownership into the private rented sector and the increasing number of those consumers who were expressing dissatisfaction about the agent with whom they had dealings. Occasionally I was presented with disquieting issues relating to the security of rents.

In my 2009 Report I encouraged whoever would be the new government after the 2010 General Election to address the inconsistency between the legislation relating to the way sales agents are required to conduct business and that relating to letting agents. I referred specifically to the obligations placed on sales agents by the Consumers, Estate Agents and Redress Act 2007 (CEARA) to join an approved redress scheme and that bringing about consistency of approach should be settled as a matter of urgency.

In my Reports for 2010 and 2011 I re-emphasised my concerns in this area. I know that the Association of Residential Letting Agents (ARLA), for example, has made clear over a 20 year period its support for regulation in the sector but over the lengthy period I have been expressing views on the subject, it has become clear to me that consumer organisations and those sector professional / trade associations such as ARLA and RICS share my view that a form of regulation is very necessary to set a level playing field for those operating in the private rented sector. The only silence outside this consensus is from those agents (estimated to represent about 40% of the lettings sector in the UK) who have so far declined to register voluntarily with TPO or to affiliate themselves to bodies such as ARLA or RICS. Clearly, for them a lack of control or the ability to act without adhering to any set of standards is serving them advantageously, even if the landlords and tenants of the properties they look after are potentially at risk with no access to free redress or, importantly, no protection of clients' money.

The Government has, at the time of writing, yet to react to the pressure being exerted by stakeholders.

[...]

There are arguments for (setting of consistent standards across the sector, for example) and against (costs of compliance, for example) a formal regulatory regime. Even with the Parliamentary amendment described above³⁰ such a regime would not come about. It nonetheless would introduce a degree of control and structure which would better serve the consumer and provide a level playing field for agents to compete. It would potentially bring a greater number of agents within the standards laid down in the TPO Code of Practice for Letting Agents and would give landlords and tenants access to independent redress where disputes could not be resolved by the parties themselves.

The current Government has made clear that it is looking to reduce the burden on businesses and has introduced its 'Red Tape Challenge' to de-clutter the statute books of unnecessary legislation. The Government also wishes to avoid imposing burdensome regulation on business, preferring instead that business sectors put their own houses in order. Those organisations with involvement in the property sector, including those with a consumer advocacy role, want that to happen but realistically legislation is the only vehicle that can bring 100 per cent of letting agents within the fold.

To sum up, the specific disclosure requirements of the Property Misdescriptions Act will be lost to a more general piece of legislation; there could well be a two tier approach to estate agents with one tier appearing to be agents when they are not; and

³⁰ This is a reference to attempts to amend the *Enterprise and Regulatory Reform Bill* – see section 3.6 of this note for more information.

any introduction of a heightened control mechanism in the private rented sector remains distant. I understand the Government approach to de-cluttering but it appears to me that we are seeing deregulation which benefits neither the agents nor consumers.

His 2013 Annual Report recorded further increases in complaints against letting agencies:

Lettings is now the biggest proportion of my work (60%) with 1,300 cases being received against a similar figure for 2012 of 1,087, an increase of 20%.³¹

The Property Ombudsman invited Professor Michael Ball to investigate issues and options around the regulation of residential letting agents – the resulting report, *Regulating Residential Letting Agents: The Issues and the Options*, was published in October 2012.

The lettings industry is sceptical about the value of increased regulation arguing that the sector is already too burdened and that further measures would not stop bad practices:

Much regulation in the private rented sector that aims to stop bad practice faces the problem that it is extremely difficult for regulatory agencies to identify exactly where it is occurring, to enforce penalties, and to monitor them. Cost effectiveness in such a context is likely to be poor.³²

In *The Impact of Regulation on the private rented sector* (April 2014), a report written by Professor Michael Ball for the Residential Landlords Association, he suggests that increased regulation of agents will push up costs for landlords and tenants:

...legislation imposed on third parties may encourage them to charge landlords higher fees (as is likely with current independent moves to regulate lettings agents in England, Wales and Northern Ireland).³³

In a joint report by the Chartered Institute of Housing and Resolution Foundation, *More than a roof: how incentives can improve the private rented sector* (August 2014), a system of incentives for landlords, such as additional tax breaks, is recommended for those who sign up for a national accreditation scheme to raise standards in the sector. However, the authors also recommend the extension of regulation covering estate agents to letting agents and the abolition of tenants' fees.³⁴

2.2 The Government's decision not to proceed with regulation

In June 2010, then Housing Minister, Grant Shapps announced that the Government would not be introducing new regulations for letting agents and managing agents in the private rented sector. He said that this would "introduce too much additional red tape" and that there were already wide-ranging powers within the present legal framework to address problems. A DCLG [press release](#) included further details:

... the Minister confirmed that the legal framework already in place strikes the right balance between the rights and responsibilities between landlords and tenants - with the vast majority of private tenants reporting they are satisfied with the service they get from their landlords.

³¹ [Property Ombudsman's 2013 Annual Report](#), p10

³² Professor Michael Ball for the Residential Landlords Association, *The impact of regulation on the private rented sector*, April 2014

³³ *ibid*

³⁴ "[Landlords need carrot as well as stick to improve the private rented sector](#)", CIH, 30 August 2014

Instead, Mr Shapps called on councils to use the wide range of powers already at their disposal to tackle the minority of rogue landlords that fail to provide good quality accommodation and blight local neighbourhoods.

Councils already have powers to require landlords to take action to rectify hazards in their property and where landlords resist, to make and charge for improvements, and to prohibit use of the affected parts of the property.

Local authorities also have discretionary licensing powers to tackle areas blighted by poorly managed privately rented stock.

He said:

"With the vast majority of England's three million private tenants happy with the service they receive, I am satisfied that the current system strikes the right balance between the rights and responsibilities of tenants and landlords.

"So today I make a promise to good landlords across the country: the Government has no plans to create any burdensome red tape and bureaucracy, so you are able to continue providing a service to your tenants.

"But for the bad landlords, I am putting councils on alert to use the range of powers already at their disposal to make sure tenants are properly protected."³⁵

The DCLG website provided more information on the Government's stance:

The private rented sector is already governed by a well established legal framework and we will not introduce any further regulations. This will ensure that the sector is free to grow in response to market conditions.

In the past over-regulation drove landlords out of the rental market. We don't want to introduce any measures which would form a barrier to potential landlords considering renting out their properties. Over regulation would reduce the number of properties to rent and wouldn't help tenants or landlords.

What we are doing

We are keen to encourage responsible letting through the use of voluntary accreditation schemes for landlords and letting agents. These can offer landlords the benefit of a market advantage and tenants a guaranteed standard of accommodation and service. We are working with the leading industry bodies to examine how to increase the use of voluntary schemes by landlords and agents.

We are also keen to encourage a wider range of investors and an improvement in standards.

Councils have a wide range of powers at their disposal to tackle the minority of rogue landlords who fail in their responsibilities. We are working with them, to ensure that any barriers to their using those powers, are lifted.³⁶

In April 2011 the Government reaffirmed its view that the current regulatory balance in the private rented sector is right:

³⁵ Department for Communities and Local Government press release, "[Shapps promises 'no more red tape' for private landlords](#)", 10 June 2010

³⁶ At 13 June 2011

Mr Sanders: To ask the Secretary of State for Communities and Local Government if he will bring forward proposals to reduce the regulatory burden on private sector landlords by simplifying and consolidating all regulations that apply to such landlords.

Grant Shapps: The Government believe that, in regulating the private rented sector, it is important to strike the right balance between over burdening landlords and causing the sector to contract and ensuring that adequate safeguards are in place to protect tenants. Our view is that that current legislative framework gets this balance right.

The existing legislation is well established and much guidance, including that provided by my Department, is available to help landlords and tenants understand their rights and responsibilities. Although these matters are kept under constant review, we, therefore, have no plans at present to change or consolidate the, existing framework.³⁷

The then Housing Minister, Mark Prisk, responded to a Westminster Hall debate on letting agents initiated by Sarah Champion in February 2013. The Minister rejected the claim that letting agents are not regulated, referring to the *Consumer Protection from Unfair Trading Regulations 2008* and the *Unfair Terms in Consumer Contracts Regulations 1999* – he went on:

Mr Prisk: It is important to recognise that we need a number of elements to deal with the different problems that have been raised. We need to make sure that we use existing consumer protection legislation now and that enforcement is put in place effectively. I want trading standards bodies to take action not just in the serious cases, such as those that I have flagged up, but in the less serious cases. We have a problem with enforcement. The right hon. Gentleman is right. We cannot mandate trading standards bodies to act in individual cases, but I am determined to encourage those national bodies to ensure that they tackle these issues right across the marketplace. It is not good enough at the moment. We want to make it stronger.

As the hon. Member for Rotherham said, many letting agents who provide services do so quite well and within the law. Several hon. Members have highlighted the *Which?* report, which showed that one in five tenants are dissatisfied with their agent. That is still too high, but I think that if it is one in five, people will realise that the vast majority—four out of five—seem satisfied with the service that they get. The *Which?* report is a pretty independent and extensive survey in that context. However, there remain too many agents whose service is poor and unacceptable. Several hon. Members, including the hon. Member for Birmingham, Erdington, mentioned the fact that this is the second lowest of consumer markets.

Our view has been that regulation should not be the first option. Although we recognise that there might be a case for it, the challenge is to make sure that existing law works properly. There is a temptation among all of us as politicians to believe that passing new legislation will deal with people who currently ignore existing regulation. I am sceptical that the changes we make, of a statutory nature or otherwise, will actually catch the rogues that Members of all parties have highlighted. That is the challenge. I am open to consideration. We are looking carefully at what the Office of Fair Trading has said. There are some strong and positive elements there. However, if we are to do this properly—if we are to catch the rogue agents and landlords who perfectly happily flout every other law—we need to make sure that if we change the rules and change the law, we do so in a way that will deal with the individuals in question.³⁸

³⁷ [HC Deb 28 April 2011 cc556W–557W](#)

³⁸ [HC Deb 27 February 2013 cc98-122WH](#)

2.3 Reaction to the Government's decision not to extend regulation

The British Property Foundation “welcomed” the decision not to introduce a residential landlord register:

Landlords had lost all confidence in the ever more complex ‘simple’ registration proposals, and will be glad to see the back of them.

However, Ian Fletcher, director of policy at the British Property Federation, was also quoted as saying that “it would be a pity...to also jettison a number of sensible recommendations, for example extending self-regulation across the agency sector, which has the support of agent, landlord and tenant representatives”.³⁹

Citizens Advice criticised the decision not to introduce stronger regulation, calling it “a mistake”. The Association of Residential Letting Agents (ARLA), the body that represents letting agents, also criticised the decision. Ian Potter, operations manager at ARLA, was quoted as saying:

A great fear is that a lot of agents who were looking at tidying up their practices will now feel they can run amok and add to the poor reputation we have at the moment.⁴⁰

2.4 The Labour Government's proposals for regulation (2010)

The Labour Government had proposed full mandatory regulation of private sector letting/managing agents.

In January 2008 the Labour Government commissioned Julie Rugg and David Rhodes to review the private rented sector; their report, *The Private Rented Sector: its contribution and potential* was published at the end of October 2008. In May 2009, the then Government published its [response to the review](#) (which included a consultation on its proposals). The response highlighted problems with the system and proposed full mandatory regulation of private sector letting agents:

31. It is still possible to set up a letting or management agency with no qualifications whatsoever, with no need to conform to requirements as to conduct or to provide mandatory safeguards for the consumer. We do not think that this is desirable or appropriate in the modern age. We are aware of cases where quite large and well established agencies have run into difficulties and, because they had no client money protection, both landlords' and tenants' money was lost. In some cases, this has not prevented those associated with the defunct business subsequently resuming their activities.

32. This does not seem right both in the context of the regulatory framework already in place for estate agents (who often also act as letting and management agents) or in the context of the greater consumer focus and transparency which underpin the proposals in this paper.

33. We are, therefore, persuaded by the powerful arguments put forward not only in the Rugg Review, but by the Law Commission and Professor Carsberg, for full mandatory regulation of private sector letting agents and management agents. Our stakeholder engagement has underlined this as a key measure if we are to improve consumer confidence in the sector.

³⁹ British Property Foundation, [Landlords 'glad to see the back of' register as Shapps scraps Labour red tape](#), 10 June 2010

⁴⁰ [“Letting agents 'let off the hook' by government”](#), BBC News, 12 June 2010

34. Government is strongly of the view that such regulation should be carried out by an independent body and that it should be compulsory.⁴¹

In February 2010 the previous Government published *The Private Rented Sector: Professionalism and Quality—Consultation Summary of Responses and Next Steps*. This indicated that a majority of respondents had supported the full regulation of private sector letting agents and managing agents by an independent regulatory body. The then Government agreed:

We agree with the emerging consensus around the need to regulate letting and managing agents. We think that the drivers for regulation are overwhelming:

- **Consumer protection** for both tenants and landlords with a particular focus on protecting consumers' money
- **Increase the professionalism and reputation of the management sector** (which will, in itself, contribute to removing barriers to institutional investment in the private rented sector)
- **Drive improvements in condition** of the private rented sector
- **Create a level playing field for all agents** (rather than a disincentive to the best).⁴²

The Government proposed:

- to establish a national register of private landlords which was to be run by an independent organisation procured by the Government
- that all tenancy agreements should take the form of written agreements and
- to introduce full mandatory regulation of private sector letting and managing agents.

The register and new regulatory framework (including written tenancy agreements) were not established prior to the 2010 General Election although impact assessments were prepared on the proposed national landlord register and the regulation of letting agents.⁴³

See section 3.5 of this note for information on Labour's current proposals in relation to regulation of the private rented sector.

3 Further developments

3.1 Communities and Local Government Select Committee inquiry

In October 2012 the Committee announced its intention to carry out an inquiry into the private rented housing sector with a focus on quality, rent levels and regulation. Interested parties were invited to submit evidence (up to 17 January 2013) on the following issues:

- the quality of private rented housing, and steps that can be taken to ensure that all housing in the sector is of an acceptable standard;

⁴¹ Department for Communities and Local Government, "*The private rented sector: professionalism and quality The Government response to the Rugg Review Consultation*", May 2009

⁴² pp8-9

⁴³ *Impact Assessment of a national register for landlords; Impact Assessment of regulation of letting and management agents by an independent body* June 2009

- levels of rent within the private rented sector – including the possibility of rent control and the interaction between housing benefit and rents;
- regulation of landlords, and steps that can be taken to deal with rogue landlords;
- regulation of letting agents, including agents’ fees and charges;
- the regulation of houses in multiple occupation (HMOs), including the operation of discretionary licensing schemes imposed by a local authority for a category of HMO in its area;
- tenancy agreements and length and security of tenure; and
- how local authorities are discharging their homelessness duty by being able to place homeless households in private sector housing.⁴⁴

The Committee published its report, *The Private Rented Sector*, on 18 July 2013.⁴⁵ The Committee welcomed the move to require letting agents to be part of an approved redress scheme and recommended that, as part of the consultation process, the Government should seek views on how to publicise the scheme and the penalties that will apply to non-complying agents. The Committee wanted the redress scheme to be accompanied by “a robust code of practice that sets out clear standards with which agents are required to comply.”⁴⁶

Some witnesses giving evidence to the inquiry supported additional regulation. There were calls for the extension of the *Consumers, Estate Agents and Redress Act 2007* and also for the introduction of a licensing system. The Minister, when giving evidence, did not rule out additional measures but said that if the code of practice (underpinning the redress scheme) is right “we probably will drive out the vast majority of the kinds of problems that our constituents face.”⁴⁷

The Committee recommended that letting and managing agents should be subject to the same regulation that currently governs sales agents. Furthermore, they recommended that if the regulation of sales agents is extended this should also apply to letting and managing agents.⁴⁸

On fees and charges, the Committee called for the code of practice underpinning the new redress scheme to require agents to provide a breakdown of all fees and for agents to explain fees and charges to prospective tenants before showing them around properties.⁴⁹ The Committee said it intended to gather evidence on the impact of the decision to make tenant charges, other than rent and a refundable deposit, illegal in Scotland and to return to the issue in 2014.⁵⁰

The Government’s response was published in October 2013.⁵¹ On the code of practice to back up the redress scheme the Government said:

⁴⁴ [CLG Select Committee website](#) (20 February 2013)

⁴⁵ HC 50, First Report of Session 2013-14, *The Private Rented Sector*, 18 July 2013

⁴⁶ *Ibid* para 74

⁴⁷ *Ibid* para 77

⁴⁸ *Ibid* para 78

⁴⁹ *Ibid* para 83

⁵⁰ *Ibid* para 86

⁵¹ [Cm 8730](#), October 2013

The redress scheme will complement the existing arrangements for deposit protection. Under the Leasehold Reform and Urban Development Act 1993, the Secretary of State has the power to approve a code of practice designed to promote good practice in relation to the management of residential property and, where relevant, we will ensure that the redress schemes have regard to any such code when assessing complaints.⁵²

The recommendation to apply the *Consumers, Estate Agents and Redress Act 2007* to letting agents was rejected on the grounds that it “would impose a new burden on local authorities, increase costs for consumers, and reduce the choice and availability of accommodation on offer to tenants.”⁵³ The Government said that if measures to require sales agents to meet minimum professional standards before they begin trading are introduced “we will consider carefully whether it makes sense for them to also apply to letting and management agents.”⁵⁴

In response to the Committee’s recommendations on fees and charges the Government again referred to existing consumer protection legislation. On 16 October 2013 the Secretary of State announced an intention to develop a code of practice on the management of privately rented property (now published⁵⁵) – a [draft Tenants’ Charter](#) was published alongside this announcement.⁵⁶ The draft document contains the following advice for tenants on fees and charges:

Letting and property management agents should be transparent about their fees.

This means that they must tell you what **all** their fees are upfront and before you have committed to anything including visiting a property. If in doubt ask what charges and fees you will be liable to so you know what you will have to pay should you decide to rent the property.⁵⁷

Now the requirement to be a member of a redress scheme is in force, tenants will be able to complain where the agent has not made its fees clear: “where a complaint was upheld, the redress scheme could require the agent to pay compensation to the tenant.”⁵⁸ [Measures in the *Consumer Rights Bill* in respect of letting agents’ fees will give tenants more clarity over fees when in force - see section 1.5 of this note]

The Committee’s report and Government response were debated on 4 March 2014. Clive Betts, the Committee Chair, said he was disappointed that the code of practice backing up the mandatory redress schemes would not be mandatory and called for “more Government action on the lack of transparency in relation to fees charged by letting agents.”⁵⁹

3.2 Government action

As previously stated, on 16 October 2013 the Secretary of State, Eric Pickles, announced the publication of a [draft Tenants’ Charter](#) and plans to develop a model tenancy agreement for the private rented sector:

⁵² *Ibid*, recommendation 20

⁵³ *Ibid*, recommendation 21

⁵⁴ *Ibid*, recommendation 22

⁵⁵ RICS, *Private rented sector code of practice*, October 2014

⁵⁶ [HC Deb 16 October 2013 cc57-9WS](#)

⁵⁷ DCLG, *Draft Tenants’ Charter: Guidance note for discussion*, October 2013

⁵⁸ [Cm 8730](#), October 2013, recommendation 23

⁵⁹ [HC Deb 4 March 2014 cc823-57](#)

A Tenants' Charter, published today in draft, will tell tenants what their rights are, what to expect and what to ask for and what to do if they have any problems. This will explain the flexibility which exists to enable tenants to ask for longer tenancies and promote awareness among tenants of what to expect, including on the transparency of lettings agents' fees. Greater transparency will help stop unreasonable practices and unfair charges by letting agents, and would-be tenants will know the full costs before they sign up to any contract.

We will also develop a model tenancy agreement, by early 2014, which will simply and more clearly set out the rights and responsibilities of tenants and landlords alike and help tenants to understand which clauses should be in every agreement, which are optional but standard and which are unique to that property.⁶⁰

The voluntary [model tenancy agreement](#) was published in September 2014.

Sections **1.3** and **1.5** of this note summarise Government action to improve information available to landlords and tenants through amendments to the *Consumer Rights Bill* (transparency over fees) and publication of a [Private rented sector code of practice](#) on management standards.⁶¹ Section **1.4** explains action taken to require managing/letting agents to join an approved redress scheme.

In response to a PQ (April 2014), Kris Hopkins summarised the Government's actions aimed at improving conditions in the private rented sector:

Kris Hopkins: The Government is committed to a better private rented sector that offers security, stability and decency. We are already changing the law to require all letting agents to join Government approved redress schemes which will allow tenants to seek compensation where they are the victims of bad practice, such as being charged hidden fees.

To encourage greater understanding of tenants' rights, we will shortly publish a new 'How to Rent' guide for tenants. We are also developing a model tenancy agreement to help tenants achieve greater security of tenure when needed, and a code of practice on property management.

The Government has provided £6.7 million to a number of local authorities to help them tackle rogue landlord activity.

We are also encouraging local authorities to use their existing powers to improve standards. They already have wide powers to tackle rogue landlord activity and poor property conditions and to encourage their use.

Through the Legal Aid, Sentencing and Punishment of Offenders Act 2012 the current £5,000 cap on fines for certain housing and planning offences will be removed and rogue landlords will be liable to potentially unlimited fines. Where the fine is currently capped at less than £5,000, the maximum fine will be quadrupled.

Finally, we published a discussion document on 24 February, inviting views on how property conditions in the private rented sector could be improved. Closing date for comments was 28 March. We are now considering the proposals we have received. We will announce the outcome of our review in the summer.⁶²

⁶⁰ [HC Deb 16 October 2013 cc57-9WS](#)

⁶¹ RICS, [Private rented sector code of practice](#), October 2014

⁶² [HC Deb 8 April 2014 c222-3W](#)

3.3 The London Assembly Housing and Regeneration Committee

In September 2012 the Committee launched an investigation aimed at identifying improvements to the private rented sector. The following issues were considered:

- The characteristics of London's private rented sector, and the role it will play in the future.
- Voluntary landlord accreditation schemes versus compulsory registration and membership.
- The effect of rent increases on low income households; the impact of changes to welfare policy; and the implications of increasing public subsidy of private landlords.
- The case for further regulation and landlord licensing, or extending existing powers.
- Addressing security of tenure through more flexible and longer tenancies.
- The nature, scale and extent of public subsidy to the private rented sector.
- Tenant and landlord rights.
- Developing the role of lettings agencies to help improve conditions.⁶³

The Committee's report, *Rent Reform – making London's private rented sector fit for purpose*, was published on 10 June 2013. Of the report's 20 recommendations one relates to the regulation of letting agents:

There is growing evidence that letting agents are encouraging landlords to raise rents and to offer short tenancies. Shorter tenancies offer the prospect of more frequent upward rent reviews, encourage 'churn' of tenancies and allow charges for registration, credit checks, renewal fees that all increase the already high cost of the sector. It is time these agents were subject to regulation and the Committee would welcome moves by the Government to ensure that the new Enterprise and Regulatory Reform Act is implemented in a way that leads to longer tenancies and reduces the cost of renting.⁶⁴

3.4 The London Rental Standard

On 13 December 2012 the London Mayor, Boris Johnson, announced plans to introduce a London Rental Standard in 2013 and to accredit 100,000 landlords by 2016:

Accreditation of 100,000 landlords by 2016 to raise the quality of management in the private rented sector. This would provide a recognisable brand of accreditation which will give tenants and prospective tenants' confidence that their landlord will provide a professional service.⁶⁵

The Mayor's Housing Covenant: *Making the private rented sector work for Londoners* was also published in December 2012.

The *London rental standard* was published in July 2013 after a three month consultation period. It describes itself as:

⁶³ *Assembly sets out to identify private rented sector reforms*, 11 September 2012

⁶⁴ London Assembly, Housing and Regeneration Committee, *Rent Reform – making London's private rented sector fit for purpose*, June 2013

⁶⁵ *Mayor unveils strategy for homes and jobs*, 13 December 2012

...a voluntary set of minimum standards that the Mayor expects from landlords, managing agents and letting agents that operate in London's private rented sector. The aim of the London Rental Standard is to raise professional standards in the capital's private rented sector by providing a consistent standard of accreditation to consumers and a vehicle for increasing the number of accredited landlords and agents.⁶⁶

The standard was formally launched on 28 May 2014.⁶⁷

3.5 Labour's policy review of the private rented sector

In December 2012 the Labour Party launched a policy review entitled: "*Private Rented Housing: Providing stability and affordability for renters and families*". Speaking to the Fabian Society in January 2013, Ed Miliband made a commitment to strengthen the rights of households in the private rented sector:

Britain is in danger of having two nations divided between those who own their one homes and those who rent.

If we are going to build One Nation, people who rent their homes should have rights and protections as well.

That's about rooting out the rogue landlords.

Stopping families being ripped off by letting agents.

And giving new security to families who rent.

So we will introduce a national register of landlords, to give greater powers for local authorities to root out and strike off rogue landlords.

We will end the confusing, inconsistent fees and charges in the private rented sector.

And we will seek to give greater security to families who rent and remove the barriers that stand in the way of longer term tenancies.⁶⁸

On 29 April 2013 he set out six key Bills which Labour would have included in the Queen's Speech, including "a Housing Bill that would take action against rogue landlords and extortionate fees in the private rented sector."⁶⁹

On 28 May 2013 Labour published *Private Rented Housing: Improving Standards for All*.

For information on Labour's proposals in respect of private sector rents and security of tenure see Library note SN06760, *Rent control in the private rented sector (England)*.

3.6 Scotland & Wales

In 2012 the Scottish Government clarified the law so that since 30 November 2012 all tenant charges, other than rent and a refundable deposit, are illegal.⁷⁰ May 2013 saw publication of the Scottish Government's strategy for the private rented sector: *A Place to Stay, a Place to Call Home: A strategy for the private rented sector in Scotland*. This paper contains a commitment to:

⁶⁶ The Mayor's *London rental standard*, July 2013

⁶⁷ BBC, *Voluntary standards scheme launched for London's landlords*, 28 May 2014

⁶⁸ Ed Miliband's speech to the Fabian Society, 12 January 2013

⁶⁹ <http://www.labour.org.uk/one-nation-new-ideas,2013-04-29> (accessed on 5 June 2013)

⁷⁰ Scottish Government Press Release, *End to illegal charges on tenants*, 22 November 2012

Work with all partners and stakeholders to identify the most effective form for further regulation of the letting agent industry in Scotland, considering legislative change where required.

Shelter published [End Letting Fees: Lessons from the Scottish lettings market](#) in June 2013 which advocates the abolition of letting agent fees in England based on the Scottish experience:

This research demonstrates that renters, landlords and the industry as a whole has benefited from banning fees to renters in Scotland. It highlights that this change could be implemented in England without significant impact on the viability of the industry, or rents.⁷¹

However, reports within the industry blamed the abolition of agents' fees for a reported rise in Scottish tenants' rents in January 2013.⁷²

The Chartered Institute of Housing (Scotland) published [Spotlight on the private rented sector in Scotland](#) in November 2013. This briefing provides a helpful overview of legal framework within which private landlords operate in Scotland.

The National Assembly for Wales' Communities & Culture Committee launched an inquiry to look at standards in the private rented sector in October 2010. The report published in February 2011 "[Making the Most of the Private Rented Sector in Wales](#)" highlighted a number of areas where the private rented sector in Wales could be improved to deliver both better housing and management standards. On 12 July 2011, the First Minister announced the Welsh Government's Legislative Programme for 2011-2016. He included an intention to legislate to "Improve the quality of accommodation in the private rented sector". In [Homes for Wales: A White Paper for Better Lives and Communities](#) (May 2012) the Welsh Government proposed to regulate landlords and letting agents across Wales. This proposal was enlarged upon in a further consultation paper, [Proposals for a Better Private Rented Sector in Wales](#) (July 2012):

The Welsh Government is proposing to legislate to establish a national, mandatory registration & licensing scheme ("the Scheme) to regulate landlords, lettings and management agents in the private rented sector (PRS) in Wales. The provisional title for the Scheme will be the "[Welsh Agents and Landlords Licensing Scheme](#)" (WALLS).⁷³

A [summary of responses](#) was published in February 2013. The [Housing \(Wales\) Bill](#) was introduced into the National Assembly on 19 November 2013; it received Royal Assent on 17 September 2014 and became the [Housing \(Wales\) Act 2014](#). Part I provides for the registration of landlords and letting agents – the provisions will be brought into force in due course by Statutory Instrument.

3.7 Private Members' Bills

The Landlord Accreditation Bill 2012-13

This Bill was presented by Caroline Lucas on 25 June 2012. It was described as:

⁷¹ Shelter, [End Letting Fees: Lessons from the Scottish lettings market](#), June 2013, p3

⁷² [Lettingagenttoday](#), "[Rents up sharply after ban on fees in Scotland](#)," says portal, 17 January 2013 (accessed on 23 June 2014)

⁷³ Welsh Government, [Proposals for a Better Private Rented Sector in Wales](#), July 2012

A bill to require local authorities to operate landlord accreditation schemes; to set those schemes according to minimum standards; and for connected purposes.⁷⁴

The Bill failed to complete its passage through Parliament before the end of the 2012-13 parliamentary session and, therefore, made no further progress.

Regulation of the Private Rented Sector Bill 2012-13

On 26 February 2013 Jeremy Corbyn introduced a Ten-Minute Rule Bill on regulation in the private rented sector. Mr Corbyn said the Bill would:

...provide for the regulation of letting agents; to protect tenants' deposits; to require the enforcement of environmental and energy-efficiency standards in private-sector rented accommodation; to amend the law on secure tenancies; to provide for fair rent to be applicable to all rented accommodation; to require landlords not to discriminate against people in receipt of state benefits; to require local authorities to establish a private rented sector office; and for connected purposes.⁷⁵

This Bill also failed to complete its passage through Parliament before the end of the 2012-13 session and made no further progress.

Letting Agents (Choice, Competition and Standards) Bill 2013-14

This Ten-Minute Rule Bill was introduced by John Healey on 2 July 2013.⁷⁶ The Bill would have:

- established a national mandatory licensing scheme for letting and managing agents, with established standards and redress for landlords, tenants and leaseholders;
- restricted letting and management agent charges to just rent and a deposit, so that tenants and leaseholders are not hit by huge upfront fees;
- mandated that all tenants have a written tenancy agreement with their landlord;
- enabled local authorities to administer and enforce these new powers to find the right solution for each local area; and
- empowered local authorities, either alone or in partnership, to trade as letting and managing agents – encouraging competition, standards and public enterprise.

The Bill was withdrawn.

Private Landlords and Letting and Managing Agents (Regulation) Bill 2013-14

This Private Member's Bill was sponsored by Sir Alan Meale. It was introduced on 19 June 2013; its [Second Reading](#) took place on 25 October and was ongoing when the House adjourned. The Bill was not moved for debate on 1 November 2013. The order to read the Bill a second time lapsed.

This Bill would establish a mandatory national register of private landlords; introduce regulation of private sector letting and managing agents; establish a body to administer the national register and monitor compliance with regulations applying to letting and managing

⁷⁴ <http://services.parliament.uk/bills/2012-13/landlordaccreditation.html> (accessed on 22 April 2013)

⁷⁵ HC Deb 26 February 2013 c173

⁷⁶ [HC Deb 2 July 2013 cc783-5](#)

agents; and to require all tenancy agreements entered into with private landlords to take the form of written agreements.

Regulation of the Private Rented Sector Bill 2013-14

On 15 October 2013 Jeremy Corbyn reintroduced his Ten-Minute Rule Bill which failed to make progress in the 2012-13 parliamentary session.⁷⁷ Mr Corbyn nominated 16 May 2014 for the debate on Second Reading but the House did not sit. The Bill failed to complete its passage through Parliament before the end of the session and will make no further progress.

Private Rented Sector Bill 2013-14

On 12 March 2014 Dr Huppert used the Ten Minute Rule Motion to call for the introduction of a Bill to:

...prevent the charging by letting agents of above-cost fees; to provide that the Consumers, Estate Agents and Redress Act 2007 and Estate Agents Act 1979 apply to letting agencies; to facilitate the establishment by councils of landlord and property accreditation schemes; to establish a housing ombudsman service for tenants in the private rented sector; to require the Secretary of State to undertake a review of the legislation applying to the private rented sector; and for connected purposes.⁷⁸

The Bill failed to complete its passage before the end of the 2013-14 session and so will make no further progress.

⁷⁷ [HC Deb 15 October 2013 cc599-601](#)

⁷⁸ [HC Deb 12 March 2014 cc319-21](#)