



Tenancies

License (hostels, shelters, some people in temporary and supported accommodation, many property guardians and renters with live-in landlords)

Assured Shorthold Tenancies - standard private tenancy 1989 - 2026

Assured Tenancy - Housing association and private. “Periodic” - no fixed term.

Secure Tenancy (councils)

Tenancies

If you are a tenant, you have certain legal rights. These rights apply even if:

- Your landlord claims you're a licensee
- You don't have a written tenancy agreement
- The fixed term of your tenancy has expired
- Your tenancy agreement gives you fewer rights

Your tenancy agreement can only give you more rights, it can never take away your legal rights as a tenant!

Disrepair: your rights

Under the Landlord and Tenant Act 1985, the **landlord is responsible for carrying out most repairs:**

- Structure and exterior of the building
- Water, sinks, baths, toilets, piping and drains
- Heating
- Electricity



Your landlord should also ensure that your home is “fit for human habitation.” This means making **improvements** if the house lacks basic facilities or if there are risks to health and safety – damp, mould, missing handrails etc.

Disrepair: your responsibilities

You are responsible for taking care of your home day to day. For example:

Looking after your home

Keeping gardens or outside areas in a reasonable state (but not ameliorating their condition)

Making sure your home is well ventilated to help avoid condensation

Small jobs likes changing light bulbs or smoke alarm batteries



You do not have to leave your home in a better condition than when you moved in.

You're not responsible for normal wear and tear in your home.

Disrepair: steps to take

Collect **evidence** – photos, video and written evidence.

Write to the landlord and give a deadline. Repairs should be done in a “reasonable time”. For social housing, there are now legal deadlines.

The council can issue an **improvement notice**.

The housing ombudsman or new **PRS ombudsman** could help.

A solicitor could help win **compensation** if there is long-term disrepair.

Talk to other renters to get support - Camden Fed of Private Tenants, or LRU.

Actions we may take:

- serve an improvement notice requiring essential repairs or improvements to reduce or remove the hazard
- make a prohibition order, closing all or part of a building or restricting the number of occupiers to reduce or remove a hazard
- take emergency action to deal with any imminent risk to the occupiers from a severe hazard
- serve a Hazard Awareness notice that informs that a hazard is present

For more information on the Housing Health and Safety Rating System, read government [guidance for landlords and property related professionals](#).

Report a hazard

If you are living in a privately rented home, you can [report a hazard](#) to our private sector housing team.

You can report a hazard to the private sector housing team on Camden Council's website



The council's role

If your landlord is not fixing issues within a reasonable timeframe, you can report this to the council's Private Sector Housing Team.

The council uses the Housing Health and Safety Ratings System to inspect your home for hazards, either category 1 (more serious) or category 2. For example:

Damp and mould growth
Electrical safety

Excess cold
Infestation

The council must issue a formal notice if category 1 hazards are present.

Where a license is required, councils can also order landlords to remedy breaches.

The council's role

Where the council issues an Improvement Notice, the renter is protected from s21 eviction for 6 months, as long as the disrepair was reported to the landlord before the notice was served.

If the landlord fails to comply with the Improvement Notice, the council can then issue a Civil Penalty Notice and fine the landlord. This money goes back into strengthening the council's enforcement team.

Environmental Health Officers who inspect your home should investigate thoroughly, and communicate with the tenant not just the landlord.

Improving standards in the Private Rented Sector

Jamie McGowan | Pupil barrister, Garden Court Chambers

Overview of key changes under the Renters' Rights Act 2025

- **From 1 May 2026**
 - Security of tenure and rent review provisions, rebalancing bargaining positions
 - A duty, rather than a power, for local authorities to enforce (s.114, 27/12/25)
 - Rent repayment order changes and new offences, tenant-led enforcement

- **Upcoming (directly related to housing conditions)**
 - PRS Database (“late 2026”)
 - Awaab’s Law and the Decent Homes Standard in the PRS (TBC, some reports suggest 2027)
 - PRS Ombudsman (landlords expected to be required to sign-up from 2028)
 - Decent Homes Standard (expected to apply to the PRS in 2035)

The PRS Database (from “late 2026”)

- It will bring together key information for landlords, tenants, and councils. The Database content will inform tenant choices when entering new tenancies; will help landlords understand their obligations and demonstrate compliance; and will support councils in targeting enforcement.
- The information is expected to include the landlord’s contact details and the property details (including the full address, the type of property (flat/ house), the number of bedrooms, the number of households/residents, whether the property is occupied and furnished, etc, and safety information (gas, electric and energy performance certificates) so that tenants are assured about the safety and energy efficiency of the property).

Awaab's Law (TBC, some reports suggest 2027)

Hazard-based approach

- Landlords are responsible for a hazard where it is as a result of a deficiency, which includes defects, disrepair and a lack of maintenance.
- Once reported (hazard *or potential* hazard), LL must conclude their investigation within 10 days
- For significant hazards such as damp and mould, LL must make safe within 5 days

Special rules for emergency hazards – 24 hours

- An emergency hazard is one which poses an imminent and significant risk of harm to the health or safety of an occupier. A risk of harm is considered imminent and significant when a reasonable landlord would take steps to make it safe within 24 hours (LL must then act accordingly).
- All emergency hazards are covered under Awaab's law, except hazards caused by overcrowding.

PRS Ombudsman (possibly operational from 2028)

- The Ombudsman will provide a redress service for private rented sector tenants when things go wrong.
- It will also support landlords with tools, guidance and training on handling complaints from tenants early.
- The Ombudsman scheme will be mandatory for PRS landlords. Landlords will be required to fund the service.
- No cost or litigation risk, do not necessarily need legal representation, may be more attractive option to many tenants than going to court.

Decent Homes Standard (expected in PRS from 2035)

- Pre-emptive rather than reliant on enforcement

Criteria (expected)

- **Criterion A** - A home must be free of the most dangerous hazards (similar to Awaab's Law)
- **Criterion B** - A home must be In a reasonable state of repair (1 or more “key building components” or 2 or more “building components” not in a reasonable state of repair
- **Criterion C** - A home must provide core facilities and services (houses at least 2, flats must have at least 3 of the following facilities: adequate kitchen, bathroom and WC, noise insulation, common entrance areas for blocks of flats. Homes must also be equipped with child-resistant window restrictors,
- **Criterion D** - A home must provide a reasonable degree of thermal comfort which includes ensuring homes meet Minimum Energy Efficiency Standards.
- **Criterion E** - A home should be free of damp and mould.

Importance of security of tenure

- Abolition of s.21 (not no-fault, but no-reason) evictions, in force from 1 May 2026
- Key in the name 'security', rebalancing of power
- Coupled by protections against unfair rent increases

What security might mean for housing standards

- Social renters are more likely to complain about housing conditions than private renters, with around 1.25 million social households considering a complaint compared to 730,000 in the private rented sector (PRS).
- However, the private rented sector has a higher proportion of homes failing the Decent Homes Standard (23% vs. 10%) [1]

[1] https://assets.publishing.service.gov.uk/media/62c562758fa8f54e8d8ac950/EHS20-21_Social_Rented_Sector_Report.pdf#:~:text=2.19%20Social%20renters%20were%20twice%20as%20likely,older%20social%20renters%20aged%2065%20or%20over

Protecting security of tenure

- How to we ensure there is *actual* security, not just on paper?
- Problems in Scotland with private landlords abusing ‘no-fault’ grounds
- Very hard to enforce upfront to avoid possession orders on Grounds 1 and 1A
- Local authorities can (now must) enforce against misuse (s.16J(1) and (2))
- Tenants can also enforce directly, after the event, by applying for Rent Repayment Orders (“RROs”)

Rent Repayment Orders

- Penal, not compensatory – do not have to prove any loss
- Landlord has to repay a percentage of rent paid (currently 12 months, from 1 May 2026, 2 years)
- Tenants can apply to the Tribunal when landlord has committed ‘gateway offences’
- Two new ones relate to misuse of possession grounds (from 1 May 2026);
 - s.16J(1) HA 1988 knowingly or recklessly rely on a possession ground
 - s.16J(2) HA 1988 letting or marketing a property within 12 months of grounds 1 or 1A
- Other new gateway offences;
 - RRA 2025 s.92(1) materially false or misleading information to the database (*once in force*),
 - tenancy reform breaches: HA 1988 s.16J(3) (inserted by RRA 2025 s15) (*from 1 May 2026*),
 - failing to be a member of PRS Ombudsman: RRA 2025 s67(1) (*once in force*),
 - failing to maintain an active entry on the database: RRA 2025 s92(2) (*once in force*),

Existing RRO gateway offences

- Violence to secure entry (s.6(1) Criminal Law Act 1977)
- Unlawful eviction or harassment of occupiers (s.1(2), (3) or (3A) (PFEA 1977))
- Failure to comply with an improvement notice (s.30(1) HA 2004)
- Failure to comply with a prohibition order (s.32(1) HA 2004)
- **Licensing (selective, additional, or mandatory)** (s.95(1), s.72(1) HA 2004)
- Breach of banning order (s.21 HA 2016)

Camden licensing

Licensing schemes in Camden

- Mandatory (5 or more occupiers from 2 or more households) – nationally
- Additional (3 or more occupiers from 2 or more households) – whole of Camden [1]

Steps tenants can take

- Start by checking the register [2]
- Contact Camden's licensing team (check for licence and applications) [3]
- Apply to the Tribunal and/or seek legal representation

[1] <https://www.camden.gov.uk/documents/d/guest/additional-hmo-licensing-designation-sealed>

[2] <https://www.camden.gov.uk/houses-multiple-occupation#ekbu>

[3] email hmolicensing@camden.gov.uk or call on 020 7974 5969

Getting assistance

- Camden's 'Support for Private Renters' page: <https://www.camden.gov.uk/private-renter-engagement>
- Camden's Private Renters' Forum: <https://privaterenters.camden.gov.uk/get-involved>
- Find a solicitor to assist in bringing a housing conditions claim:
<https://solicitors.lawsociety.org.uk/>
- Obtain assistance with RROs: <https://www.justicefortenants.org/> and several others

Questions??