

# The end of no-fault evictions?

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A notice served under section 21 of the Housing Act 1988 enables a landlord to repossess their properties from assured shorthold tenants by providing them with two months' notice, without having to establish fault on the part of the tenant. This is often referred to as the 'no fault' ground for eviction.

The Government have announced plans to abolish section 21 and "replace section 21 'no fault' eviction notices with a modern tenancy system". The abolition of section 21 would put an end to 'no fault evictions' and instead transition all tenancies to periodic, to help create longer tenancies and strike a fairer balance between residential landlords and tenants.

In June 2022 the Government published the Renter's Reform Bill. The main proposals of the Bill are to: - Abolish section 21 'no fault' evictions - Create a register of landlords - Introduce a private rented ombudsman to help enforce renters' rights - Make it illegal for landlords and agents to refuse to rent properties to people who receive benefits - Give local authorities more power to enforce and protect renters' rights

The end of section 21 would mean that landlords will always need to provide their tenants with a reason for ending a tenancy, which will be defined in law. Tenants will be able to choose to end the tenancy at any time, as long as they provide two months' notice to the landlord. Landlords only option will be to rely on notices served under section 8 Housing Act 1988 and to establish a valid ground for possession such as rent arrears or breach of contract.

The Government also intends to reform the existing grounds of possession under section 8. Opinions on the proposed abolition and changes are divided between landlords and tenants. The changes appear to provide further security for tenants, whilst narrowing the rights available to landlords. The Government has confirmed that it intends to introduce its Bill in "this session of Parliament" which ends in May 2023, but it not yet known when section 21 notices will be removed.

We continue to follow the progress of the Bill, but if you require any assistance or are concerned about the proposals to abolish section 21 notices, please call our team on 01384 371622.

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