EXPLANATORY MEMORANDUM TO

THE ASSURED TENANCIES (PRIVATE RENTED SECTOR) (WRITTEN STATEMENT OF TERMS ETC AND INFORMATION SHEET) (ENGLAND) REGULATIONS 2026

2026 No. 324

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Ministry of Housing, Communities and Local Government (MHCLG) and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee.

2. Declaration

2.1 Matthew Pennycook MP, Minister of State for Housing and Planning at MHCLG, confirms that this Explanatory Memorandum meets the required standard.

2.2 Ross McInnes, Deputy Director for the Private Rented Sector at the MHCLG, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Eleanor Millington at the Ministry of Housing, Communities and Local Government can be contacted by email at the following address with any queries regarding the instrument: prsguidance@communities.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 The Assured Tenancies (Private Rented Sector) (Written Statement of Terms etc and Information Sheet) (England) Regulations 2026 ("these Regulations") set out the written information that landlords (or their contractors, as the case may be) must provide to tenants in the private rented sector in England who are entering into assured tenancies on and from 1 May 2026 and to tenants of existing tenancies without a written record of the tenancy's terms. These Regulations also specify the document ("The Renters' Rights Act Information Sheet 2026") that landlords (and their contractors, as the case may be) are required to provide under paragraph 7(2) of Schedule 6 to the Renters' Rights Act 2025 ("the RRA"), to tenants of existing tenancies with a written record of some (or all) of the tenancy's terms, to explain changes introduced by the RRA that may be relevant to those tenancies.

4.2 These Regulations do not impose the duty to provide this written information (that duty is contained in section 16D of the Housing Act 1988 ("the 1988 Act") as amended by the RRA) nor do they impose the duty to provide 'The Renters' Rights Act Information Sheet 2026' ("the Information Sheet"). This is contained in paragraph 7 of Schedule 6 to the RRA itself. These Regulations, in combination with those provisions, prescribe the information that must be included in the written information, the Information Sheet document, and the specific version of that document that landlords must provide.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England.

4.5 Paragraph 7 of Schedule 6 to the RRA is a transitional provision that applies in relation to provisions in the RRA extending to England and Wales and is applicable to assured tenancies under the 1988 Act, which are defined in that Act as limited to tenancies of dwelling-houses in England only.

5. Policy Context

What is being done and why?

5.1 The RRA reforms renting in England by abolishing section 21 'no fault' evictions and replacing assured shorthold tenancies with assured periodic tenancies (rolling tenancies with no fixed end date). This change ends fixed-term assured tenancies and strengthens tenant security, enabling renters to challenge poor practice and unfair rent increases without the risk of retaliatory eviction.

5.2 Section 16D of the 1988 Act, inserted by section 12 of the RRA, requires landlords of assured tenancies to provide tenants with written information on specific terms and other information relating to the tenancy, as specified in regulations, before the tenancy is entered into. Section 16D(1) states that this requirement does not apply where the assured tenancy is granted by implication, after an implied surrender of a previous assured tenancy between the same parties, where the implied surrender and grant result from an agreement to vary the terms of the previous tenancy.

5.3 Paragraph 7(5) of Schedule 6 to the RRA also requires landlords to provide the information specified in regulations to existing tenants, within one month of the RRA's tenancy reforms becoming applicable to that tenancy, where there is no existing written record of the tenancy's terms.

5.4 These reforms will come into force for all assured tenancies except social housing tenancies on 1 May 2026. Therefore, where landlords under existing tenancies are required to have provided this information to their tenants, in most cases they will need to have done this by the end of 31 May 2026. An exception to this is those tenancies impacted by other transitional provisions in Schedule 6 to the RRA, which could result in this information having to be provided by the landlord at a later point.

5.5 It is expected that landlords will choose to comply with this requirement by including the information in written tenancy agreements, however, a written statement may also be provided separately. This will ensure that tenants and landlords have a clear written record of the key terms of the tenancy. It is also intended to help both parties to understand their rights and responsibilities, and assist in preventing or resolving disputes. These Regulations give effect to section 16D of the 1988 Act by setting out what written information must be provided.

5.6 The information that landlords will be required to provide by these Regulations is primarily that which is necessary for landlords and tenants to understand their key contractual rights and responsibilities relating to the property and each other, or which relates to statutory provisions that place obligations on either or both parties. This includes information relating to the tenancy, such as the names of the parties to the tenancy; details on the rent level and how the rent can increase; the amount of any

tenancy deposit; how the landlord can end the tenancy; the responsibilities of the landlord in relation to the standard of the property; information on the right to request to keep a pet and disability adaptations; and what information must be included if the property is let as supported accommodation.

5.7 If a tenancy was entered into before 1 May 2026 and already has a written record of some or all of the tenancy terms, then landlords will not need to comply with section 16D of the 1988 Act. Instead, paragraph 7(2) of Schedule 6 to the RRA, in combination with these Regulations, requires landlords to provide existing tenants with a copy of the Information Sheet, as it has effect from time to time. This explains in general terms how the tenancy may be affected by changes made by the RRA. It is intended to support landlords and tenants of tenancies transitioning to the new tenancy system on 1 May 2026 to understand those changes, without landlords having to necessarily update existing written tenancy agreements. These Regulations therefore prescribe the document which must be provided, which covers information about changes such as the abolition of assured shorthold tenancies, removal of fixed term assured tenancies and how a landlord or tenant can end the tenancy. This document can be found on the government website[1].

What was the previous policy, how is this different?

5.8 Before the RRA, there was no statutory requirement in the private rented sector in England for landlords to proactively provide written information about the agreed tenancy terms to their tenant prior to entering into a tenancy, although there are various legal requirements on landlords to provide individual pieces of information or data to their tenants. For example, section 20A of the 1988 Act (which the RRA repeals) required landlords under an assured shorthold tenancy to provide a written statement about certain terms of the tenancy (as set out in that section) but only where the tenant requested that information in writing.

5.9 Data from the Private Landlords Survey 2010[2] shows that nearly all landlords (about 97%) provide written tenancy agreements in some form. However, there are no legal requirements to ensure this covers specific information, and disparity in practice amongst landlords means some tenants do not get a written record of the key terms of their agreement.

5.10 These Regulations set out what information landlords must provide in writing, to ensure that tenants receive the same basic written information about the tenancy. This will ensure landlords and tenants have written records on key tenancy terms, and that all parties understand some of their most critical rights and responsibilities in relation to the tenancy.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 16D of the 1988 Act (inserted by section 12 of the RRA) is a new legal requirement for landlords in the private rented sector in England. It requires them to provide tenants under an assured tenancy with a written statement of such terms of the tenancy and other information relating to the tenancy as specified in regulations.

6.2 These Regulations set out the terms and information which must be included in such a written statement. This can be provided as part of a written tenancy agreement. This

[1] https://www.gov.uk/government/publications/the-renters-rights-act-information-sheet-2026
[2] https://www.gov.uk/government/statistics/private-landlords-survey-2010

requirement will come into force on 1 May 2026 (as part of the wider implementation of Chapter 1 of Part 1 of the RRA) for landlords granting assured tenancies on and after 1 May 2026, subject to some exceptions. The requirement does not apply where the landlord is a private registered provider of social housing and the tenancy is a tenancy of social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, or where the tenancy is granted by implication, after an implied surrender of a previous assured tenancy between the same parties, where the implied surrender and grant result from an agreement to vary the terms of the previous tenancy. Schedule 6 to the RRA provides for certain transitional provisions in relation to the application of this requirement to tenancies entered into before 1 May 2026.

6.3 Paragraph 7 of Schedule 6 to the RRA sets out a transitional provision which excludes tenancies entered into before 1 May 2026 which are wholly or partly in writing from the requirement in section 16D to provide a written statement. Instead, paragraph 7 of Schedule 6 to the RRA requires landlords of such tenancies to give the tenant any information in writing about the changes made by the RRA which is required to be given by regulations. This is a one-off requirement, intended to support landlords and tenants of tenancies that will transition to the new system. These Regulations require that the information to be given is that in the form of the Information Sheet, as it has effect from time to time. This aims to ensure that tenants of existing tenancies receive information on how the changes made by the RRA may have affected their tenancies. Landlords are generally required to provide this information by the end of 31 May 2026, but some exceptions may apply where tenancies are subject to other transitional provisions in Schedule 6 to the RRA.

6.4 Where an existing tenancy has no written record of its terms, paragraph 7(5) of Schedule 6 to the RRA places a new legal requirement on landlords to provide the tenant with written information about the terms of the tenancy within one month of the RRA's tenancy reforms applying to that tenancy, in most cases by 31 May 2026.

6.5 Where a landlord has served a valid notice seeking possession under section 8 or section 21 of the 1988 Act in relation to an assured tenancy before 1 May 2026, the tenancy may be in scope of a transitional provision set out in paragraphs 3, 4, 16 or 17 in Schedule 6 to the RRA. As a result, the tenancy will only transition across to the new tenancy system once the section 8 or 21 notice has ceased to be valid (and any possession proceedings have concluded), and the requirement to provide the Information Sheet or written information about the terms of the existing tenancy will either not apply or will apply once the tenancy has transitioned across to the new tenancy system, depending on the circumstances.

6.6 Paragraph 11 of the Schedule to these Regulations requires the landlord to include in the written information details about how the landlord may end the tenancy if section 5 of the 1988 Act applies to the tenancy. For the avoidance of doubt, section 5 of the 1988 Act is disapplied by the following in respect of certain specified tenancies; the City of London Corporation (Open Spaces) Act 2018, the Monken Hadley Common Act 2022 and the General Cemetery Act 2025. The requirement to provide the information specified at paragraph 11 of the Schedule will therefore not apply to such specified tenancies.

6.7 Paragraph 16 of the Schedule to these Regulations requires the landlord to include information about section 190 of the Equality Act 2010 in the written information they provide. Baroness Taylor of Stevenage (Parliamentary Under-Secretary of State at the Ministry of Housing, Communities and Local Government) stated in the House of Lords on 15 May 2025 that the government intended to include information in

these Regulations on the duty on landlords under the Equality Act 2010 to not unreasonably refuse disability adaptation requests from tenants[3]. This commitment was repeated by Matthew Pennycook MP (Minister of State for Housing at the Ministry of Housing, Communities and Local Government) in a letter deposited in the House of Commons library on 25 June 2025[4].

6.8 To note, this instrument forms part of the following package of statutory instruments, which were also laid or published alongside this instrument with a commencement date of 1 May 2026:

6.8.1 The Assured Tenancies (Private Rented Sector) (Prescribed Forms and Transitional Provisions) (England) Regulations 2026

6.8.2 The Financial Penalties (Housing Offences and Breach of Banning Orders) Regulations 2026

6.8.3 The Housing Act 1988 (Assured Tenancies) (Definition of Legal Representative) (England) Regulations 2026

6.8.4 The Renters' Rights Act 2025 (Consequential Amendments) and Tenancies (Miscellaneous Amendments) (England) Regulations 2026

6.8.5 The Student Accommodation (Miscellaneous Provisions) (England) Regulations 2026.

6.9 Collectively, these instruments constitute the first phase of implementation of the RRA. The sequencing and rationale for this approach is detailed in the implementation roadmap for the RRA[5], which was published on 13 November 2025.

6.10 The government will make commencement regulations shortly before 1 May 2026 to ensure the first phase is implemented fully on that date. This will include commencing, in respect of the private rented sector, Chapter 1 of Part 1 of the RRA which makes amendments to various legislation cross-referred to in these Regulations. The commencement of the requirements in the RRA to which these Regulations relate also depend on the commencement of Chapter 1 of Part 1 of the RRA.

Why was this approach taken to change the law?

6.11 This is the only available approach, as secondary legislation is required to give effect to the measures in the RRA. Any other approach (for example putting this into guidance as a suggested course of action for landlords to follow) would not give effect to the measures in the RRA.

7. Consultation

Summary of consultation outcome and methodology

7.1 Representatives from the sector have been engaged during the development of these Regulations. The department also published a draft of these Regulations on 19 January 2026 to give the sector an indication of the direction of travel and to help the sector start preparing for the changes ahead of commencement. A formal consultation

[3] https://hansard.parliament.uk/lords/2025-05-15/debates/73CD2AD4-B0EF-40A5-AD85-74D0ACA7D356/Renters%E2%80%99RightsBill#contribution-3D8AA93E-1DB2-4E8F-867B-EC795DCCF8A5

[4] https://depositedpapers.parliament.uk/depositedpaper/2287217/details

[5] https://www.gov.uk/government/publications/renters-rights-act-2025-implementation-roadmap

was not undertaken because the Regulations set out technical detail and a full consultation was judged a disproportionate use of resource.

8. Applicable Guidance

8.1 Guidance will be produced by the Ministry of Housing, Communities and Local Government to help landlords comply with these Regulations.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because the estimated impacts identified in the de minimis impact assessment fall below the level requiring a full assessment. The de minimis impact assessment is published alongside the Explanatory Memorandum. The de minimis impact assessment outlines the costs and benefits to landlords, letting agents, tenants and other groups resulting from the Regulations.

9.2 The main monetised costs are expected to fall on landlords and letting agents; these include the time taken for landlords to familiarise themselves with the new requirements, find the Information Sheet and ensure their tenancy documents contain the relevant information. They are expected to total £94.0 million over the 10-year appraisal period (2025 prices, 2026 base year).

9.3 There are also expected to be sizeable benefits to landlords and tenants, however we have not been able to monetise these due to data limitations. The Regulations are expected to improve clarity for both landlord and tenant on the terms of their tenancy agreement. This is expected to reduce disputes between landlords and tenants, as well as enabling tenants to better exercise their rights when needed. Greater transparency will also improve the efficiency of enforcement action, with associated cost saving to local authorities, councils and the courts system.

9.4 The Regulations only need to generate discounted benefits of £1.84 per property to deliver a positive net present social value. We judge this to be likely given the non-monetised benefits identified so we expect the Regulations will have a net positive impact on total welfare.

Impact on businesses, charities and voluntary bodies

9.5 These Regulations do impact small or micro businesses, where landlords are operating with small portfolios. As set out in de minimis impact assessment, 96% of landlords could be classed as small and micro businesses. It was not judged appropriate to exempt small or micro businesses from the RRA, because of the impact on tenants. The aim of the measures in the RRA is to ensure that tenants benefit from receiving the same information from their landlords. It would therefore not be fair to tenants or proportionate to exempt small landlords from these requirements.

9.6 Private Registered Providers of social housing (PRPs) who are operating non-social tenancies are also expected to face both familiarisation costs and the cost of ensuring future written tenancy agreements contain the required information.

9.7 The impact on the public sector is likely to take the form of familiarisation and enforcement costs for local housing authorities, tribunals alongside potential cost savings arising from improved efficiency of enforcement action. There are also expected to be familiarisation costs for Local Authority Registered Providers who are

operating non-social tenancies, as well as the costs of ensuring future written tenancy agreements contain the required information.

9.8 When charities and the voluntary sector let property on an assured tenancy, they will often be considered as either private landlords or PRPs for the purposes of when and how the legislation for assured tenancies applies, depending on how they are constituted as an organisation. They may therefore be affected in line with how the reforms will apply to those categories of landlord.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 We will monitor this legislation as part of our evaluation of the impact of our private rented sector reform programme and the RRA on achieving the government's aim to deliver a fairer, more secure and higher quality private rented sector.

10.2 This evaluation will make use of data collected through interviews, surveys and focus groups with tenants, landlords, letting agents, third sector organisations, delivery partners, and government officials. We will also use data from surveys such as the English Housing Survey and the English Private Landlord Survey data, as well as new data produced by the reforms themselves.

10.3 Reports will be prepared two and five years after the implementation date of 1 May 2026.

10.4 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015, Matthew Pennycook, has made the following statement:

10.5 "It would be inappropriate to include a statutory review clause as the de minimis impact assessment indicates there is no expected significant annualised impact on business. The government has also already committed to an ongoing review of the impacts of the Renters' Rights Act, with plans to publish evaluation findings two and five years after the implementation date of 1 May 2026."

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 Regulation 3 of these Regulations provides that the information to be given for the purpose of paragraph 7(2)(a) of Schedule 6 to the RRA is the version of the Information Sheet, as produced by the Secretary of State, that has effect for the time being. This provision is made in reliance on paragraph 7(2), (4) and (6)(a) of Schedule 6 to the RRA.

12. European Convention on Human Rights

12.1 As this instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").