Draft Regulations laid before Parliament under section 10B(8) of the Landlord and Tenant Act 1985 (c. 70) for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

HOUSING, ENGLAND

LANDLORD AND TENANT, ENGLAND

The Hazards in Social Housing (Prescribed Requirements) (England) (Amendment) Regulations 2026

Made - - - -	***
Coming into force	*30th November 2026*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 10A(3) and 10B of the Landlord and Tenant Act 1985(**a**).

In accordance with section 10B(8) of the Landlord and Tenant Act 1985, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Hazards in Social Housing (Prescribed Requirements) (England) (Amendment) Regulations 2026.

(2) These Regulations come into force on 30th November 2026.

(3) These Regulations extend to England and Wales.

Amendment of the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025

2. The Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025(**b**) are amended as follows.

Amendment of regulation 3: meaning of "significant hazard" and "emergency hazard"

3.—(1) Regulation 3 is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (b), for "take steps to make safe as a matter of urgency" substitute "make safe within 15 working days";

(**a**) 1985 c. 70. Sections 10A and 10B were inserted by section 42 of the Social Housing (Regulation) Act 2023 (c. 36) and are amended by section 60 of the Renters' Rights Act 2025 (c. 26) from a date to be appointed. Section 10B(8) is amended by paragraph 3 of Schedule 11 to the Leasehold and Freehold Reform Act 2024 (c. 22) from a date to be appointed.

(**b**) S.I. 2025/1042.

(b) in sub-paragraph (d), omit "take steps to".

(3) In paragraph (2)—

(a) in the opening words, for "paragraph (1)" substitute "this regulation";

(b) before the definition of "relevant hazard" insert—

""excluded fire hazard" means a prescribed hazard(**a**) where the risk of harm—

(a) is associated with exposure to uncontrolled fire and associated smoke and fumes, and

(b) arises from a deficiency in a FSO-regulated part of a building that contains two or more sets of domestic premises (within the meaning given in article 2 of the Regulatory Reform (Fire Safety) Order 2005(**b**));

"FSO-regulated part of a building" means any part of a building to which the Regulatory Reform (Fire Safety) Order 2005 applies by virtue of article 6(1A) of that Order;";

(c) in the definition of "relevant hazard", in sub-paragraph (a)—

(i) in the opening words, after "hazard" insert "that is not an excluded fire hazard";

(ii) in paragraph (i), for "growth" substitute "growths or any matter or circumstance referred to in paragraph 2, 3, 14A, 18A, 21, 22, 23, 23A or 29 of Schedule 1 to the Housing Health and Safety Rating System (England) Regulations 2005(**c**)".

Amendment of regulation 4: meaning of "required work" etc.

4. In regulation 4, in the definition of "work", after "safe" insert "but does not include any action required under the Fire Safety (Residential Evacuation Plans) (England) Regulations 2025(**d**)".

Amendment of regulation 21: transitional provision – prior awareness of relevant matters

5. In regulation 21(2)(c), in the inserted definition of "relevant time", for paragraph (a) (but not the "or" which follows it) substitute—

"(a) 27th October 2025 in relation to—

(i) a significant hazard where the risk of harm is associated with exposure to damp, mould or fungal growths, or

(ii) an emergency hazard,

(aa) 30th November 2026 in relation to a significant hazard where the risk of harm is associated with a matter or circumstance referred to in paragraph 2, 3, 14A, 18A, 21, 22, 23, 23A or 29 of Schedule 1 to the Housing Health and Safety Rating System (England) Regulations 2005,".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Name
Minister of State
Date Ministry of Housing, Communities and Local Government

(**a**) See section 10A(7) of the Landlord and Tenant Act 1985 for the definition of "prescribed hazard".
(**b**) S.I. 2005/1541, amended by section 1 of the Fire Safety Act 2021 (c. 24). There are other amending instruments but none is relevant.
(**c**) S.I. 2005/3208, amended by S.I. 2026/571.
(**d**) S.I. 2025/797.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 (S.I. 2025/1042) ("the 2025 Regulations"), also known as "Awaab's Law", which prescribe requirements with which a landlord of social housing is required to comply by virtue of the covenant implied by section 10A(2) of the Landlord and Tenant Act 1985 (c. 70).

Regulation 3(2) amends the definitions of "significant risk of harm" and "imminent and significant risk of harm" in the 2025 Regulations which feed through into the definitions of "significant hazard" and "emergency hazard" in that instrument. As amended, "significant hazard" and "emergency hazard" are now defined as meaning a relevant hazard that poses a risk of harm to the health or safety of an occupier of a social home that a reasonable landlord with the relevant knowledge would make safe within 15 working days or within 24 hours respectively.

Regulation 3(3) amends the definition of relevant hazard in regulation 3(2) of the 2025 Regulations. Its effects are: (a) to expand the definition of 'significant hazard' to include excess cold, excess heat, domestic hygiene, falls, electrical, explosion and structural collapse hazards (as well as damp and mould hazards); and (b) to exclude fire hazards from Awaab's Law if they are caused by a deficiency in any part of premises regulated by the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541). Those parts are the structure, external walls and any common parts of a building containing two or more sets of domestic premises together with doors between domestic premises and common parts of such buildings.

Regulation 4 excludes from the definition of "work" any action to put in place residential personal emergency evacuation plans required under the Fire Safety (Residential Evacuation Plans) (England) Regulations 2025 (S.I. 2025/797).

Regulation 5 makes a consequential amendment to the transitional provision in regulation 21 of the 2025 Regulations that applies if the landlord became aware of a relevant matter in relation to a social home at a time before the 2025 Regulations began to apply to a relevant matter of that type and in relation to the affected social home.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is published alongside these Regulations on www.legislation.gov.uk and is also available from the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF.

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