STATUTORY INSTRUMENTS

2026 No. 421 (C. 37)

LANDLORD AND TENANT, ENGLAND

HOUSING, ENGLAND AND WALES

The Renters' Rights Act 2025 (Commencement No. 2 and Transitional and Saving Provisions) Regulations 2026

Made - - - - *16th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 145(1), (7) and (8) and 148(3) and (13) of the Renters' Rights Act 2025(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Renters' Rights Act 2025 (Commencement No. 2 and Transitional and Saving Provisions) Regulations 2026.

(2) In these Regulations—

"the 1988 Act" means the Housing Act 1988(**b**);

"the 2025 Act" means the Renters' Rights Act 2025;

"assured tenancy" has the same meaning as in Part 1 of the 1988 Act;

"existing tenancy" has the meaning given by section 146(3) of the 2025 Act.

Provisions about assured tenancies coming into force on 1st May 2026 for assured tenancies that are not social housing assured tenancies

2. The following provisions of the 2025 Act, in so far as not already in force, come into force on 1st May 2026 for the purposes of assured tenancies that are not social housing assured tenancies(**c**) only—

(a) Chapter 1 of Part 1 (tenancy reform: assured tenancies), except section 25(3);

(b) Schedule 1 (changes to grounds for possession);

(c) Schedule 2 (amendments relating to Chapter 1 of Part 1).

(**a**) 2025 c. 26.

(**b**) 1988 c. 50. Relevant amendments are made by Parts 3 and 5 of the Housing Act 1996 (c. 52), section 16 of the Anti-Social Behaviour Act 2003 (c. 38), sections 81 and 82 of, and Schedules 8 and 9 to, the Civil Partnership Act 2004 (c. 33), section 299 of, and Schedule 11 to, the Housing and Regeneration Act 2008 (c. 17), Part 7 of the Localism Act 2011 (c. 20), section 6 of the Prevention of Social Housing Fraud Act 2013 (c. 3), Part 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), sections 40 and 41 of the Immigration Act 2016 (c. 19), Part 1 of the Renters' Rights Act 2025 (c. 26), S.I. 2003/259, S.I. 2010/866, S.I. 2013/1036 and S.I. 2019/1458.

(**c**) See section 145(8) of the Renters' Rights Act 2025 for the meaning of "social housing assured tenancy".

Other provisions coming into force on 1st May 2026

3. The following provisions of the 2025 Act, in so far as not already in force, come into force on 1st May 2026—

(a) section 25(3) (accommodation for homeless people: duties of local authority);

(b) Chapter 3 of Part 1 (discrimination in the rental market: England);

(c) Chapter 6 of Part 1 (stating the proposed rent and rental bidding);

(d) section 58 (penalties for unlawful eviction or harassment of occupier);

(e) section 62 (student accommodation that is not an HMO);

(f) section 74 (Local Commissioners' investigation of complaints by persons who are not tenants);

(g) section 97 (financial assistance by the Secretary of State);

(h) section 98 (rent repayment orders) except—

(i) subsection (2)(d) (rent repayment orders for offences under sections 67 and 92 of the 2025 Act);

(ii) subsections (5)(a)(i) and (ii) and 6(a)(i) and (ii), so far as they insert references to offences under section 67 of the 2025 Act (offences: landlord redress schemes) and section 92 of that Act (offences: private rented sector database).

(i) section 102 and Schedule 5 (financial penalties) except so far as they relate to section 66 of the 2025 Act (financial penalties: landlord redress schemes) and section 91 of that Act (financial penalties: private rented sector database);

(j) section 103 (rent repayment orders: liability of landlords and superior landlords);

(k) section 104 (rent repayment orders: liability of directors etc) but not paragraph (e) of the definition of "specified offence" in the inserted section 51A(4) of the Housing and Planning Act 2016(**a**);

(l) section 105 (unlicensed HMOs and houses: offences);

(m) section 106 (service of improvement notices on landlords and licensors);

(n) section 107 (enforcement by local housing authorities: general duty);

(o) section 108 (enforcement by local housing authorities: duty to notify);

(p) section 109 (enforcement by county councils: duty to notify).

Transitional provision relating to regulation 2: section 22 of the 1988 Act and applications for a determination of rent during the first six months of a tenancy

4.—(1) Paragraph (2) applies to an existing tenancy where, immediately before 1st May 2026—

(a) the tenant is entitled to make an application to the appropriate tribunal under section 22(1) of the 1988 Act (reference of excessive rents to appropriate tribunal)(**b**), and

(b) the tenant has not made such an application.

(2) An application made on or after 1st May 2026 to the appropriate tribunal for a determination of rent where no more than six months have elapsed since the beginning of the tenancy or, in the case of a replacement tenancy, the original tenancy, must be made under section 14(A1) of the 1988 Act (determination of open-market rent by tribunal)(**c**).

(**a**) 2016 c. 22.

(**b**) Section 22 of the Housing Act 1988 is amended by section 100(2) and (3) of, and paragraph 2(6) of Schedule 8 to, the Housing Act 1996 (c. 52), and S.I. 2013/1036. See section 45(1) of the Housing Act 1988 for the meaning of "appropriate tribunal".

(**c**) Subsection (A1) is inserted into section 14 of the Housing Act 1988 by section 7(3) of the Renters' Rights Act 2025.

(3) No application may be made under section 14(A1) of the 1988 Act in relation to a tenancy if an application has previously been made in relation to the tenancy under section 22 of the 1988 Act (as that section had effect immediately before 1st May 2026) which was not subsequently withdrawn.

(4) In this regulation, "original tenancy" and "replacement tenancy" must be construed in accordance with subsections (6) and (7) respectively of section 21 of the 1988 Act (recovery of possession on expiry or termination of assured shorthold tenancy)(**a**) as they had effect immediately before 1st May 2026.

Saving provision relating to regulation 2: new possession Ground 1A and legacy assured tenancies

5.—(1) The amendment made to Schedule 2 to the 1988 Act (grounds for possession of dwelling-houses let on assured tenancies)(**b**) by paragraph 3 of Schedule 1 to the 2025 Act (new ground for sale of dwelling-house) does not apply in relation to a legacy assured tenancy.

(2) In this regulation, "legacy assured tenancy" means an assured tenancy which—

(a) is entered into before 1st May 2026, and

(b) is, immediately before 1st May 2026, not an assured shorthold tenancy within the meaning of Part 1 of the 1988 Act(**c**) as it had effect at that time.

Transitional provision relating to regulation 2: Ground 4A notice period

6.—(1) This regulation applies if, during the period beginning with 1st May 2026 and ending with 30th July 2026, a landlord under an existing tenancy (or in the case of joint landlords, at least one of the landlords) serves a notice under section 8(2) of the 1988 Act (notice of proceedings for possession) and that notice specifies Ground 4A in Schedule 2 to that Act(**d**).

(2) The period specified in the table in section 8(4AA) of the 1988 Act(**e**) for that notice, in so far as it applies to Ground 4A, has effect as if "two months" were substituted for "four months".

(3) In this regulation, the term "landlord" is to be construed in accordance with section 45 of the 1988 Act (interpretation of Part 1).

Transitional provision relating to regulation 2: rent increase by rent review clause before 1st May 2026

7.—(1) This regulation applies if paragraph 6 of Schedule 6 to the 2025 Act (application of Chapter 1 of Part 1 to existing tenancies) applies in relation to an increase in rent under an existing tenancy (other than a relevant low-cost tenancy).

(2) A notice served by the landlord under section 13(2) of the 1988 Act (increase of rent under assured tenancies other than relevant low-cost tenancies)(**f**) on or after 1st May 2026 may not propose a new rent to take effect before the end of the period of 52 weeks beginning with the day on which the increase in rent referred to in paragraph (1) took effect.

(**a**) Section 21 is repealed by section 2(b) of the Renters' Rights Act 2025.
(**b**) Schedule 2 to the Housing Act 1988 is amended by Schedule 1 to the Renters' Rights Act 2025; there are other amendments not relevant to these Regulations.
(**c**) Chapter 2 of Part 1 of the Housing Act 1988 (assured shorthold tenancies) is repealed by section 2(b) of the Renters' Rights Act 2025.
(**d**) Ground 4A is inserted into Schedule 2 to the Housing Act 1988 by paragraph 10 of Schedule 1 to the Renters' Rights Act 2025.
(**e**) Subsection (4AA) is inserted into section 8 of the Housing Act 1988 by section 3(3)(e) of the Renters' Rights Act 2025.
(**f**) Section 13(2) of the Housing Act 1988 is amended by section 6(4) of the Renters' Rights Act 2025 and S.I. 2003/259.

(3) In this regulation, "relevant low-cost tenancy" has the meaning given by section 13(4C) of the 1988 Act(**a**).

Transitional provision relating to regulation 2: challenge to new rent proposed in a notice under section 13 given before 1st May 2026

8.—(1) This regulation applies where—

(a) before 1st May 2026 the landlord under an existing tenancy has served on the tenant a notice under section 13(2) of 1988 Act proposing a new rent to take effect on or after 1st May 2026, and

(b) immediately before 1st May 2026 condition A or condition B is met.

(2) Condition A is met if all of the following apply—

(a) the tenant has not referred the notice to the appropriate tribunal under section 13(4)(a) of the 1988 Act(**b**),

(b) a referral under that subsection is not time-barred, and

(c) the landlord and tenant have not reached an agreement pursuant to paragraph (b) of that subsection.

(3) Condition B is met if the tenant has referred the notice to the appropriate tribunal under section 13(4)(a) of the 1988 Act but the tribunal has not determined the rent under section 14 of that Act (determination of rent by tribunal)(**c**).

(4) Sections 13(4) and 14 of the 1988 Act continue to apply as they had effect immediately before 1st May 2026 in relation to the tenancy, until one of the following occurs—

(a) referral of the notice to the appropriate tribunal has become time-barred,

(b) the appropriate tribunal has determined a rent, or

(c) the landlord and tenant have given written notice to the appropriate tribunal that they no longer require a determination to be made.

(5) For the purposes of paragraphs (2)(b) and (4)(a), a referral is "time-barred" where the notice served under section 13(2) of the 1988 Act has not been referred to the appropriate tribunal by the date specified in the notice as the date on which the new rent will take effect.

Transitional provision relating to regulation 2: shared owners

9. In relation to an existing tenancy, section 16F(3)(a) of the 1988 Act (exceptions from letting and marketing prohibitions)(**d**) has effect as if for the words "before the assured tenancy was entered into" there were substituted "before the end of the period of one month beginning with 1st May 2026".

(**a**) Subsection (4C) is inserted into section 13 of the Housing Act 1988 by section 6(7) of the Renters' Rights Act 2025.
(**b**) Section 13(4)(a) of the Housing Act 1988 is amended by S.I. 2013/1036.
(**c**) Section 14 of the Housing Act 1988 is amended by section 104 of, and paragraph 2(2) of Schedule 8 to, the Housing Act 1996 (c. 52), section 7 of the Renters' Rights Act 2025, S.I. 1993/651 and S.I. 2013/1036.
(**d**) Section 16F is inserted into the Housing Act 1988 by section 13(1) of the Renters' Rights Act 2025.

Saving provision relating to regulation 2: homelessness re-application after private rented sector offer

10.—(1) Paragraph (2) applies where, prior to 1st May 2026, an applicant for assistance under Part 7 of the 1996 Act (homelessness: England)(**a**) accepts an offer under section 193(7AA) of that Act (private rented sector offer)(**b**).

(2) The repeal of section 195A of the 1996 Act (duty to offer accommodation following re-application after private sector offer) by section 25(4) of the 2025 Act (accommodation for homeless people: duties of local authority) does not apply.

(3) In this regulation, "the 1996 Act" means the Housing Act 1996.

Transitional provision relating to regulation 3(h), (j) and (k): offences committed before 1st May 2026

11. The amendments to Chapter 4 of Part 2 of the Housing and Planning Act 2016 (rent repayment orders) made by sections 98, 103 and 104 of the 2025 Act have no effect—

(a) in relation to an offence committed before 1st May 2026; or

(b) where a person commits an offence mentioned in row 3, 4, 5, 6 or 7 of the table in section 40(3) of the Housing and Planning Act 2016 (introduction and key definitions) for a continuous period starting before 1st May 2026 and ending on or after that date, in relation to the period falling before 1st May 2026.

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

Matthew Pennycook
Minister of State
16th April 2026 Ministry of Housing, Communities and Local Government

(**a**) 1996 c. 52. Section 195A was inserted by s. 149(4) of the Localism Act 2011 (c. 20) and amended by section 14(4) of the Homelessness Reduction Act 2017 (c. 13).

(**b**) Subsection (7AA) was inserted by paragraph 5 of Schedule 15 to the Housing and Regeneration Act 2008 (c. 52) and amended by section 148(5) of the Homelessness Reduction Act 2017.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the second commencement regulations made under the Renters' Rights Act 2025 (c. 26) ("the 2025 Act"). As well as bringing into force provisions of the 2025 Act, they make transitional and saving provisions in connection with the commencement of those provisions.

Regulation 2 brings into force Chapter 1 of Part 1 of the 2025 Act, except section 25(3), on 1st May 2026, for the purposes of tenancies which are not social housing assured tenancies ("private assured tenancies") only. Chapter 1 of Part 1 of the 2025 Act makes various changes to the Housing Act 1988 (c. 50) ("the 1988 Act"), including the abolition of fixed term and shorthold assured tenancies, so that all tenancies under that Act will now be assured periodic tenancies, and the abolition of "section 21 evictions" (also known as "no fault evictions").

Regulation 3 brings into force, on 1st May 2026, various other provisions of the 2025 Act. This includes section 25(3), which omits section 193C(3) to (10) of the Housing Act 1996 (c. 52) which is the lesser duty placed on local housing authorities where a homeless applicant has failed to cooperate where the offer of an assured shorthold tenancy is sufficient to end the duty, Chapter 3 of Part 1, which prevents discrimination against prospective tenants with children or those who receive benefits, Chapter 6 of Part 1, which requires an asking rent to be published for lettings and prohibits landlords and letting agents from inviting, encouraging or accepting offers in excess of that amount, and sections 98 and 103 to 106, which strengthen the rent repayment order regime (RRO) under Chapter 4 of Part 2 of the Housing and Planning Act 2016 ("the 2016 Act") and expand its scope, and that of certain existing RRO offences, to include superior landlords.

Regulation 4 makes transitional provision in connection with the coming into force of section 2 of the 2025 Act, which repeals Chapter 2 of Part 1 of the 1988 Act, including section 22 of that Act. Paragraphs (1) and (2) provide that on and after 1st May 2026, a referral to the tribunal for a rent determination during the first six months of an existing tenancy must be made under section 14(A1) of the 1988 Act. Section 16 (general savings) of the Interpretation Act 1978 (c. 30) would otherwise allow a tenant to make a new application under repealed section 22 after 1st May 2026. Paragraph (3) provides that a tenant may not make a further application for a determination of the rent payable under the tenancy under section 14(A1) on or after 1st May 2026 where an application has previously been made under section 22 of the 1988 Act which was not subsequently withdrawn.

Regulation 5 makes saving provision in connection with the coming into force of paragraph 3 of Schedule 1 to the 2025 Act in relation to a "legacy assured tenancy". This is defined as an assured tenancy entered into before the 1st May 2026 which was not an assured shorthold tenancy within the meaning of Part 1 of the 1988 Act as it had effect immediately before 1st May 2026. For legacy assured tenancies, the amendment made by paragraph 3 of Schedule 1 to the 2025 Act to Schedule 2 of the 1988 Act will not apply. Paragraph 3 of Schedule 1 creates a new ground for possession (Ground 1A) relating to the sale of the dwelling-house. As a result of this saving provision, it will not be possible for landlords of legacy assured tenancies to rely on Ground 1A to obtain a possession order under section 7 of the 1988 Act in relation to that tenancy.

Regulation 6 makes transitional provision in connection with the coming into force of paragraph 10 of Schedule 1 to the 2025 Act, which creates a new ground for possession of student accommodation for occupation by students, Ground 4A. It temporarily reduces the notice period

for Ground 4A from 4 to 2 months for notices served between 1st May 2026 and 30th July 2026 (inclusive) in relation to existing tenancies. Its purpose is to facilitate the usual letting cycle for the 2026/27 academic year.

Regulation 7 makes transitional provision in connection with the coming into force of section 6 of the 2025 Act, which abolishes rent review clauses in private assured tenancies. Where a landlord has increased the rent by contractual rent review clause before 1st May 2026, a new rent proposed in a notice served under section 13(2) of the 1988 Act on or after that date may not take effect until at least 52 weeks after the previous rent increase by rent review clause. This provision prevents landlords from using the statutory procedure to increase the rent more than once annually.

Regulation 8 makes transitional provision in connection with the coming into force of sections 6 and 7 of the 2025 Act. This regulation saves pre-commencement sections 13 and 14 of the 1988 Act in circumstances where a landlord has served a notice under section 13(2) before 1st May 2026, proposing a new rent to take effect after that date. Sections 13 and 14 will continue to apply as unamended by the 2025 Act where either a tenant has made a referral under section 13(4)(a) before 1st May 2026 and the tribunal has not made a rent determination by that date or the tenant does not make a referral until on or after 1st May 2026.

Regulation 9 makes transitional provision in connection with the coming into force of section 13 of the 2025 Act. It will apply to shared owners who have sublet the property on a tenancy that began before 1st May 2026. Section 16F(3) to (5) of the 1988 Act (inserted by section 13 of the 2025 Act) provides that landlords who are shared owners are exempt from the 12-month restriction on re-letting the property after using new possession Ground 1A (selling the property). One of the criteria for this exemption is that the landlord must have informed the tenant in writing before the tenancy began that the exemption may apply. This regulation will allow landlords of existing tenancies to meet this criterion, by providing a month-long window after commencement in which they can inform the tenant in writing that the exemption may apply.

Regulation 10 makes savings provision in connection with the coming into force of section 25(4) of the 2025 Act. It provides that section 195A of the Housing Act 1996 continues to apply to any person who accepts an offer of an assured shorthold tenancy made in accordance with section 193(7AA) of that Act before 1st May 2026, so that where a person becomes homeless again within 2 years of accepting that offer, the local authority duty under section 193(2) of that Act will apply if the person is not intentionally homeless regardless of whether the person has a priority need.

Regulation 11 makes transitional provision in connection with the coming into force of sections 98, 103 and 104 of the 2025 Act. It ensures that the amendments made by the 2025 Act to Chapter 4 of Part 2 of the 2016 Act (rent repayment orders) only apply to offences committed by a tenant's landlord or superior landlord on or after 1st May 2026.

An impact assessment has not been prepared for this instrument as a full assessment was produced in relation to the 2025 Act. Copies can be obtained at https://publications.parliament.uk/pa/bills/cbill/59-01/0127/amend/Renters_Rights_Bill-IA.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Renters' Rights Act 2025 have been brought into force by commencement Regulations made before the date of these Regulations—

Provision	*Date of Commencement*	*S.I. No.*
Section 63 (partially)	27th December 2025	S.I. 2025/1354
Section 99 (partially)	27th December 2025	S.I. 2025/1354
Section 100 (partially)	27th December 2025	S.I. 2025/1354
Schedule 4 (partially)	27th December 2025	S.I. 2025/1354

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-828240-5

9 780348 282405

£8.90

http://www.legislation.gov.uk/id/uksi/2026/421