

An end to unfair evictions?

After four years the renters reform bill has finally been released and its headline commitment is to abolish section 21 “no fault” evictions.

If it's done right, this vital reform could level the playing field in the private rented sector. But, there are **three critical loopholes** we're worried could undermine its aims:

1. New “no fault” grounds that allow landlords to evict tenants if they want to sell the property or move family in, without requiring them to provide any evidence
2. Landlord's being able to evict tenants using the new “no fault” grounds after just 6 months in into the tenancy
3. Unreasonable in-tenancy rent increases forcing tenants to move out

The government must introduce a strong framework of protections and dis-incentives to prevent the new system from being abused. If it doesn't, it will have broken its promise to protect renters from unfair evictions.

Section 21 by a new name?

While the bill pledges to abolish section 21 evictions, landlords are also being given new powers to evict tenants if they are planning to sell the property or move family members in. As it stands, landlords will not be required to provide any evidence to prove they are using these grounds accurately.

We found that 48% of people who had experienced an eviction were told that their landlord was selling the property. This number will only expand if the government does not close this loophole.

Our research also shows that 66% of evicted renters were forced to move between 6 months and 5 years into their tenancy. This suggests that the limit on using new no fault grounds in the first six months of the tenancy will, in practice, leave the majority of tenants unprotected.

Landlords must be required to provide evidence to support their claims and should be unable to re-let their property within one year of using these grounds. If abuse of the system is not disincentivized there is a risk that new grounds for eviction will allow section 21 evictions through the backdoor.

Pay up or move out

Last year 1.8 million households had their rent increased or were threatened with an increase. At a time when people are struggling with inflation and energy bills, rent increases are forcing tenants into “negative budgets”. Our data on people we help with debt shows that private renters are -£35 “in the red” at the end of every month.

When landlords increase rent it doesn't just make renting unaffordable, it also forces people out of their homes. We found that over 300,000 private renters had to move out of their home due to a real or threatened rent increase in the last year.

While renters are able to challenge rent increases there are significant barriers to taking action. **Only 1 in 10 renters who challenged their increase were successful** and over 40,000 renters were issued with a section 21 eviction notice within 6 months of challenging their landlord. Abolishing section 21 will remove one tool landlords use to evict tenants but it won't prevent renters from being forced to pay up or move out.



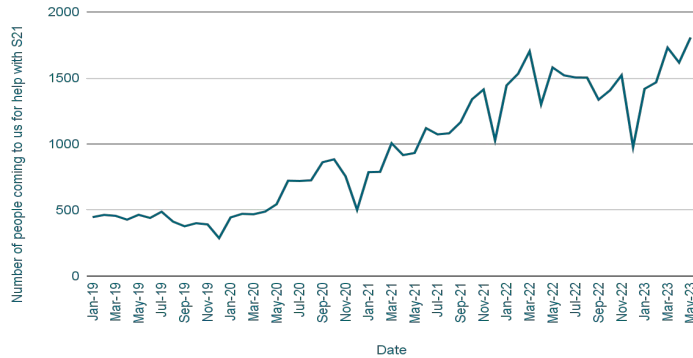
Henry's Story - between a rock and a hard place

Henry and his wife are retired and have lived in their privately rented flat for the last 8 years. The property is draughty and remains cold even when they put the heating on, but their landlord has recently told them that he is going to increase the rent by over £500 a month.

Henry has told the landlord that the couple cannot afford the increase in rent given that they are on a fixed income. The landlord responded by threatening to issue a section 21 eviction notice. Henry and his wife both have long term health conditions and they are now at risk of being made homeless.

There's no time to lose

Over 300,000 renters experienced a Section 21 eviction in the last year. In May alone, **nearly 2000 people came to citizens advice for help with section 21 evictions - a record figure.**



Section 21 evictions make renters feel insecure in their own homes and prevent them from enforcing their rights.



Listen to our advisor Catherine talk about the impact section 21 evictions have on people who come to us for help.

For the last two months, our advisors have been sounding the alarm bell warning that they're seeing more and more issues related to evictions and rent increases.

Our advisor in Taunton said:

"I think that rent increases are one of the key reasons for section 21s. People tell their landlord they can't afford it and then the landlord serves a notice. I've had very few clients who any kind of rent to arrears or there's been antisocial behaviour issues - that just hasn't been coming up"



The number of people seen by Citizens Advice for issues of Section 21 Eviction in England between May 2022 and April 2023, by region.

No fault evictions affect people across the country, but our research found that groups that are already marginalised are particularly impacted by section 21 evictions:

- **Renters receiving UC** were twice as likely to report having received a S.21 eviction in the past 12 months compared to the average renter.
- **Renters from racially minoritised groups** were twice as likely to have received a S.21 eviction in the past year when compared to White renters.

Policy Recommendations

The negative impact of section 21 is well documented, now we need to make sure that this vital reform is done right.

The government must introduce a strong framework of protections and dis-incentives to prevent the new system from being abused.

We're calling on the government to take three key actions:



After using new "no fault" grounds the period in which landlords cannot re-let their properties should be extended from 3 months to one year. This would deter misuse of these grounds for possession, particularly for the 38% of Landlords without mortgages. The government should also consider the evidence landlords should be required to provide when using these grounds.



Increase the period in which tenants are protected from new grounds for eviction from six months to two years. This will allow renters to confidently settle into their home.



Prevent tribunals from raising the rent beyond the amount being challenged in order to give tenants confidence in challenging unreasonable rent increases.

Annex / Technical Notes

- Survey data based on a representative poll of 2,000 private renters (18+) in England conducted by Yonder Data Solutions for Citizens Advice, fieldwork conducted between April 13th - 23rd 2023. The figures have been weighted to be representative of all adult private renters in England using English Housing Survey 2021-2022 data.
- Citizens Advice used data from the English Housing Survey 2021-2022 (EHS) as an estimation of the number of private renting households in England. The estimated number of private renting households in England (4.6 million) was multiplied by the average private renting household size (2.3 people) to get an estimated 10.58 million private renters in England.
- **1.8 million households who had their rent increased or have been threatened with an increase during the cost-of-living crisis:** The EHS' estimated number of private renting households in England (4.6 million) was multiplied by the proportion of renters who reported having a rent increase or a threatened rent increase in the past 12 months (41%).
- **Over 300,000 renters had to move out of their privately rented home due to a real or threatened rent increase in the last year:** The estimated number of private renters in England (10.58 million) was multiplied by the proportion of renters who reported having a rent increase or a threatened rent increase in the past 12 months (41%). This estimated 4.3 millions renters who had a real or threatened rent increase in the past 12 months is multiplied by the proportion of renters who reported having to move to a new rented property or move in with their relatives as an outcome of a real/threatened rent increase in the past 12 months (7%).
- **After challenging an increase, over 40,000 renters were issued with a section 21 eviction notice:** The previously estimated 4.3 million of renters who had a real or threatened rent increase in the past 12 months was multiplied by the proportion of renters who challenged the increase (32%). This figure of renters who challenged an increase in the past 12 months was multiplied by the proportion of renters who reported that their landlord issued a section 21 eviction within 6 months of challenging the increase (3%).
- **Over 300,000 renters experienced a Section 21 eviction in the last year:** The previously estimated 10.58 million private renters in England was multiplied by the proportion of renters who reported receiving a Section 21 eviction notice in the past year (3%).