



PM ESTATES

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Section 21 - What has Changed?

The government has just announced a change in the laws surrounding administering a Section 21 notice. The long term goal is to promote longer

term tenancies and improve tenants' rights while renting a property.



Overview

The Government has released plans to consult on new legislation to abolish Section 21 evictions – so called ‘no-fault’ evictions. This will effectively create open-ended tenancies, and lead to what the Government believe will be more effective means of getting their property back when they genuinely need to do so.

Under the Government’s proposals, landlords will have to provide a concrete, evidenced reason already specified in law for bringing tenancies to an end.

To ensure landlords have confidence the Government will allow them to be able to end tenancies where they have legitimate reason to do so. To this end, Ministers will amend the Section 8 eviction

process, so property owners are able to regain their home should they wish to sell it or move into it.

The Government will also expedite Court processes, so landlords are able to swiftly and smoothly regain their property.

Ministers will work with other types of housing providers outside of the private rented sector who use these powers and use the consultation to make sure the new system works effectively.



Our Advice

Q1) How long will this take to become law?

- A. In my opinion this will take years (maybe four or five) and it will require extensive consultation and a complete re-writing of

certain laws. You also have the possibility of a new Government and this being thrown out or made even more draconian.

(Q2) So a landlord can still serve notice if they need to sell or move in?

A. Yes, I understand Section 8 will be amended to make that an option for a notice to be served. What we don't have is the exact detail about what evidence is required, and that will be the contentious part, especially as we have some peculiar Judges. If you get caught lying that could have serious consequences, so it needs to be a genuine reason and truthful evidence presented to the court.

(Q3) I assume the government will still require us to serve things like the Gas safety certificate (GSR), How to rent guide (HTR) and the Energy Performance certificate (EPC) for a notice to be valid?

A. The Government have not said, but I cannot imagine that will be removed, but just transferred to the Section 8 requirement before it can be served.

(Q4) Are they still bringing in the longer-term tenancy for tenancies to be a mandatory three years?

A. Yes, the removal of the Section 21 notices forms part of the overall discussion. I expect the proposal of a three-year tenancy with an initial mutual six month break clause to still be law at some stage, with the tenant only being allowed to break thereafter with two months notice. The Government have mentioned about financial incentives for landlords and more work to improve education and knowledge for both tenants/landlords.



Rest assured we will be attending regular legal update courses to protect all of our fully managed Landlords. This will take time, a lot of time to sort out, with dozens of pieces of legislation having to be re-written.

I am away on annual leave until to the 23rd of April but if you have any further questions regarding this issue please put them forward by return and I will endeavor to answer them as quick as possible.

Kind regards,

Paul Miller
Director

This newsletter is aimed at providing a general overview of the recent legal changes. If you have any further queries, or require more information please contact the office on:

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Alternatively, please see some website links below which include further reading.

Please see below useful Websites:

<https://www.gov.uk/evicting-tenants/section-21-and-section-8-notice>

<https://news.rla.org.uk/housing-reforms-risk-hurting-tenants/>

<https://www.arla.co.uk/news/april-2019/government-plans-to-abolish-section-21/>



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