

The Letting Experts Guide To...

# Compliance & Enforcement

# A More Structured Approach

Compliance has become more demanding in recent years. The rules are more detailed, expectations are higher, and the margin for error is narrower than it once was. This guide is designed to explain how compliance now operates in practice, and what helps protect landlords in an environment where standards are more closely monitored.

Under the Renters' Rights Act, enforcement is more structured, more data-led, and more proactive than in the past. Councils have clearer authority to intervene where serious or repeated issues arise, supported by stronger penalties. This does not mean responsible landlords are being targeted, but it does reflect a system that places greater emphasis on structure, evidence, and consistency.

Protection now rests not only on understanding the legislation, but ensuring that your lettings are supported by clear records, consistent processes, and diligent oversight. These foundations play an increasingly important role in safeguarding your position and reducing exposure to enforcement action.

This guide explains how enforcement operates, what typically leads to intervention, and how risk can be reduced through strong management and organisation. It helps to clarify where genuine exposure lies, and how landlords can remain compliant as regulatory expectations continue to rise.



## How Enforcement Operates

### How councils assess non-compliance under the Renters' Rights Act

Local authorities operate through defined investigative processes, typically triggered by complaints or information already held by the council, and supported where necessary by inspections and data sources to identify potential non-compliance.

Enforcement is shaped by documented risk and evidence, rather than isolated events.

### What usually brings a landlord to a council's attention?

Common triggers include:

- Tenant complaints, particularly where safety or living conditions are concerned
- Repeated non-compliance across one or more properties
- Failure to respond to previous warnings or improvement notices
- Serious hazards relating to property condition or legal obligations
- Patterns identified through inspections, licensing schemes, or shared data

These indicators point to ongoing or unresolved issues rather than one-off oversights. Councils do not typically prioritise landlords who make occasional administrative errors or who act promptly to resolve problems when they arise. Good-faith efforts to comply, supported by clear records and cooperation, are an important part of how risk is assessed.

## When & How Councils May Intervene

### How councils often make contact

In most cases, contact from a local authority begins formally and in writing. This may follow a tenant complaint, or a review of information held by the council. Where further clarification is needed, this may then lead to a local authority inspection. Initial contact is usually intended to establish facts and whether an issue exists, rather than to impose immediate penalties.

Under the Renters' Rights Act, councils make greater use of registration systems and existing data sources to support their work. Where issues are identified, councils will normally set out what needs to be addressed and allow time for matters to be resolved before formal enforcement action is considered.

### What councils can enforce under the Act

The Act expands and strengthens the range of formal enforcement actions available to local authorities when serious or persistent breaches are identified.

Where non-compliance is found, a council may take enforcement action including:

- Improvement and prohibition notices – Improvement notices require specific problems to be remedied within a set timeframe. Prohibition notices can restrict the use of a property where serious safety concerns exist
- Civil penalties for housing-related offences – financial penalties may be issued for breaches of housing legislation, with the level of any fine reflecting the seriousness and circumstances of the breach
- Rent Repayment Orders in serious cases – these can require landlords to repay rent that has already been paid to them under a tenancy. In the most serious cases, this can be up to two years rent, depending on the nature of the breach and the landlord's conduct. RROs are typically associated with serious or ongoing non-compliance, such as failure to comply with formal notices or unlawful letting practices
- Banning orders for the most severe and repeated misconduct – in the most serious cases, landlords may be prohibited from letting or managing property for a defined period.

### How enforcement typically escalates

Enforcement is generally progressive. The system is designed to correct problems before punishment is applied.

In most cases, the process follows a structured path:

- An issue is identified through a complaint, inspection, or data review
- The landlord is notified and given an opportunity to address the problem
- Formal notices are issued if concerns are not resolved
- Penalties are applied where there is continued or serious failure to comply



## Understanding Investigatory Powers

### The expansion of investigatory powers

Alongside stronger enforcement routes, the Act also expands the investigatory powers available to local authorities. These powers allow councils to establish whether housing law has been breached, particularly in cases involving illegal eviction, unsafe conditions, or persistent non-compliance.

Authorised council officers may now:

- Require information and documents from landlords and agents
- Request information from third parties where relevant to an investigation
- Use data from tenancy deposit schemes, council tax, and housing benefit records
- Enter business premises connected with rental activity to inspect records and obtain evidence
- In limited circumstances, enter residential properties (tenant-occupied homes) with appropriate authorisation

These powers are exercised through formal notice-based processes, with defined safeguards and reasonable timeframes, and are used where there is an established basis for concern, rather than at random or without cause.

### What this means for landlords

The enforcement system is designed to focus on serious or ongoing issues, it's not designed to penalise landlords who operate responsibly.

For landlords who maintain clear records, respond to issues, and manage their properties in an organised way, it is unlikely that investigatory powers will be used. Where standards are met and issues are addressed promptly, matters rarely escalate.

This is why having clear processes, proper documentation, and consistent management is now one of the strongest forms of protection for landlords. If you're unsure how any of this applies to your own property, your local Letting Expert can help you make sense of what's relevant and what steps, if any, are needed.

# Quick Answers to Common Concerns

## **Will councils inspect my property for a small mistake?**

No. Enforcement is usually triggered by complaints, repeated issues, or ignored notices, not one-off administrative errors.

## **Can I be fined for missing a single document?**

Penalties are generally linked to serious or ongoing non-compliance. Landlords who act in good faith and resolve issues promptly are unlikely to face enforcement action.

## **Can a tenant make a complaint that isn't justified?**

Councils do not act on complaints alone. They consider evidence, previous history, and how issues have been handled before deciding whether any further action is needed.

## **Do councils carry out random inspections?**

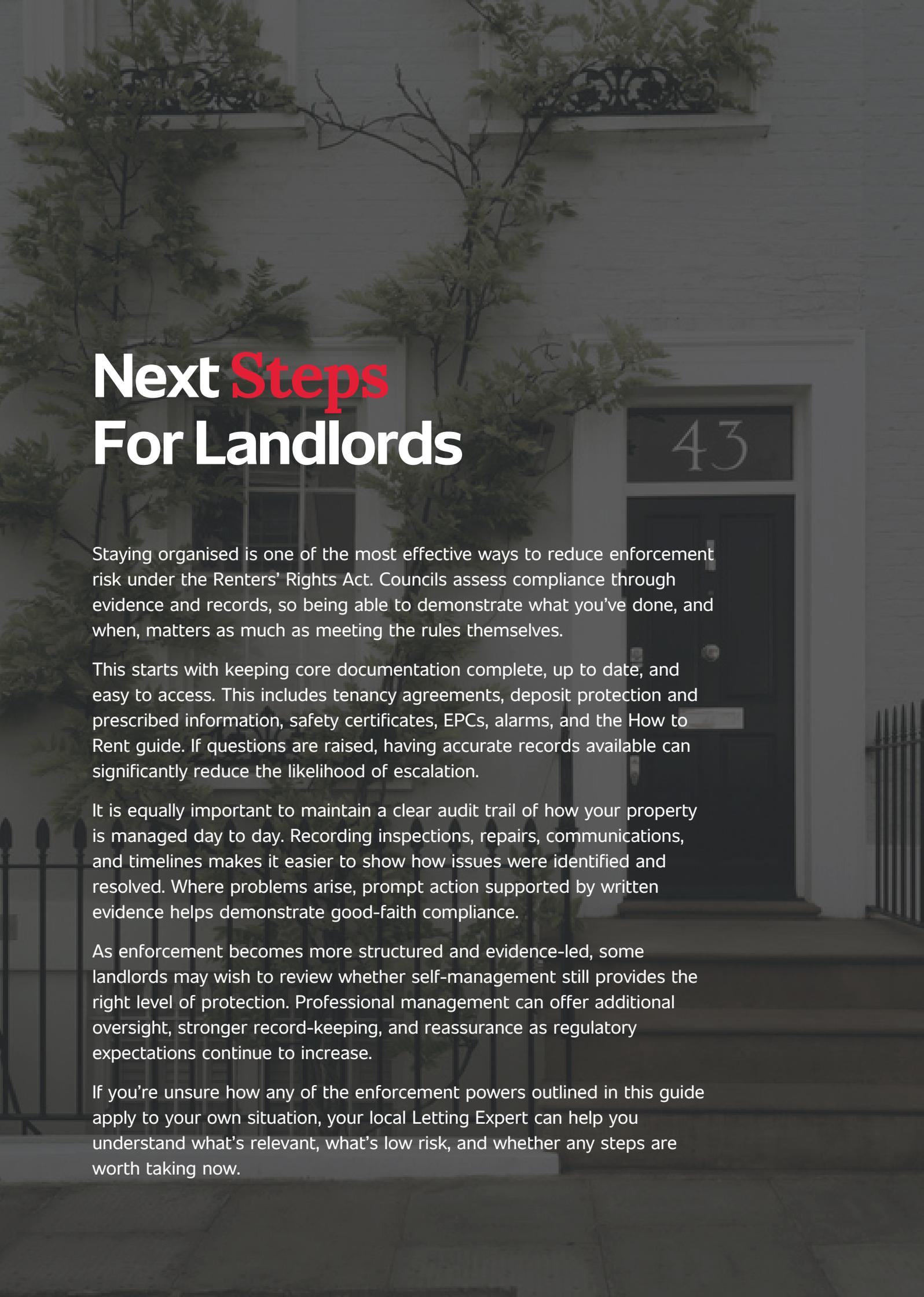
Inspections are typically risk-led and follow a clear reason, such as a complaint or concerns identified through existing data.

## **What puts landlords most at risk?**

Patterns of unresolved issues, poor record-keeping, and failing to respond to notices, particularly where properties are self-managed or landlords are unfamiliar with the rules.

## **How do I reduce my risk?**

Keep clear records, respond promptly to issues, and make sure your compliance and management processes are up to date.



# Next Steps For Landlords

Staying organised is one of the most effective ways to reduce enforcement risk under the Renters' Rights Act. Councils assess compliance through evidence and records, so being able to demonstrate what you've done, and when, matters as much as meeting the rules themselves.

This starts with keeping core documentation complete, up to date, and easy to access. This includes tenancy agreements, deposit protection and prescribed information, safety certificates, EPCs, alarms, and the How to Rent guide. If questions are raised, having accurate records available can significantly reduce the likelihood of escalation.

It is equally important to maintain a clear audit trail of how your property is managed day to day. Recording inspections, repairs, communications, and timelines makes it easier to show how issues were identified and resolved. Where problems arise, prompt action supported by written evidence helps demonstrate good-faith compliance.

As enforcement becomes more structured and evidence-led, some landlords may wish to review whether self-management still provides the right level of protection. Professional management can offer additional oversight, stronger record-keeping, and reassurance as regulatory expectations continue to increase.

If you're unsure how any of the enforcement powers outlined in this guide apply to your own situation, your local Letting Expert can help you understand what's relevant, what's low risk, and whether any steps are worth taking now.



The **Future** of Lettings

This information is correct at the time of writing; however, as the Renters' Rights Act progresses through parliament, it remains subject to change. We recommend seeking legal advice from an authorised professional before making any decisions based on this guide.

0333 344 9915

[hello@thelettingexperts.co.uk](mailto:hello@thelettingexperts.co.uk)

[www.thelettingexperts.co.uk](http://www.thelettingexperts.co.uk)

