



Ministry of Housing,
Communities &
Local Government

**Ministry of Housing, Communities & Local
Government**
3rd Floor, Fry Building
2 Marsham Street
London
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7 September 2020

To:
All Chief Executives, Chief Housing Officers
and Chief Officers for Children's Services of
Local Authorities in England

Dear Chief Executive, Chief Housing Officer and Chief Officer for Children's
Services,

EXTENSION OF EMERGENCY MEASURES REQUIRING RESIDENTIAL LANDLORDS TO PROVIDE EXTENDED NOTICE PERIODS

This letter notifies local authorities that The Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Amendment) (England) Regulations 2020 (SI 2020/914) came into force on 29 August 2020.

On 29 August 2020 the Government brought into force regulations requiring landlords to give tenants six months' notice of their intention to seek possession, except in the most serious cases. These regulations will only apply in England.

Measures in Schedule 29 to the Coronavirus Act were introduced in March 2020 to provide tenants with additional protections from being evicted at a time when their income streams may have been vulnerable and they were worried about the health and well-being of themselves and their loved ones. The Government was also aware of the need to prevent displacement and homelessness, in the light of the public health risk this poses in relation to the spread of infection, and to reduce pressures on essential public services during this time.

Based on the information available at that time on the nature of the virus and the public health requirements that were being put in place, three months was deemed to be an appropriate length of time for notice periods and the measures were introduced for what was considered a reasonable amount of time, meaning they expire on 30 September 2020.

Forecasts suggest that COVID infection rates will likely increase during Winter, which is compounded by the risks presented by the annual flu season. In this context, the Government have reviewed the measures in Schedule 29. The Government's primary consideration is public health and the potential strain on public services. The Government is cognisant of the ongoing need to minimise the impact on public services of households either contracting the virus or being made

homeless during the Winter months. Evictions over the winter period present a health risk to individuals as it will put them at greater risk of contracting coronavirus and puts additional pressure on what could be an already overstretched NHS and local authority services.

The Government therefore believes it is appropriate to extend the period in which these measures are in force until 31 March 2021 and to extend notice periods to six months in most circumstances. Extending the period will have the benefit of ensuring that tenants have more time to find new accommodation whilst navigating the implications of the pandemic.

In order to most appropriately balance the interests of landlords and tenants, the Government believes it is proportionate that notice periods are lowered for cases that cause particular stress and financial strain for landlords, other tenants and local communities.

The new regulations therefore modify the length of notice required for some cases in the following ways:

- For secure tenancies:
 - Notice periods for grounds that relate to anti-social behaviour (including the grounds for nuisance/illegal or immoral use of the property), domestic abuse, riot, and fraud will return to their original notice periods, before the Coronavirus Act 2020 was introduced. This change reflects that these cases place untenable strain on other tenants, local communities and landlords, and that it is no longer proportionate to allow them to continue without resolution.
 - Notice periods for rent arrears will be amended so that if at least six months of rent is unpaid, then landlords will be able to provide four weeks' notice. Where arrears owed are under six months, landlords will be required to provide six months' notice.
- Notice periods for Introductory Tenancies for cases relating to anti-social behaviour (including rioting) and domestic abuse will be four weeks. This is broadly in line with the proposed notice periods for cases relating to anti-social behaviour and domestic abuse. Otherwise, notice periods for Introductory Tenancies will be 6 months in line with most other grounds. This reflects that social landlords have identified anti-social behaviour as a key issue.
- Notice periods for Demoted Tenancies for cases relating to anti-social behaviour (including rioting) and domestic abuse will be four weeks. This reflects the minimum notice period for possession proceedings for Demoted Tenancies under section 143E and is broadly in line with the proposed notice periods for cases relating to anti-social behaviour and domestic abuse. Otherwise, notice periods for Demoted Tenancies will be 6 months in line with most other grounds. Demoted Tenancies are used where secure tenants have caused a nuisance through anti-social behaviour. This reflects that social

landlords have identified anti-social behaviour as a key issue.

The instrument also makes provision for the prescribed forms of notice to be updated, so they contain accurate information as to the relevant notice required to be given. Secure tenancy notice forms are available [here](#).

The Government published public guidance on the original measures in the Coronavirus Act in March 2020. This is for tenants, landlords and local authorities, and sets out what changes were brought in by the Coronavirus Act and how this affects the rights and responsibilities of the key parties. The Government will continue to update these. The guidance can be seen [here](#).

The Amendment Regulations are published by the Stationery Office and are available at <https://www.legislation.gov.uk/ukxi/2020/914/made>

Enquiries about the Regulations should be addressed to:

Hannah Settle by email to: hannah.settle@communities.gov.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jane Everton', written in a cursive style.

Jane Everton
Social Housing Division