

Discrimination: Benefits and Children

Tenant FAQ

Q: Can a landlord refuse to rent to me because I receive benefits?

A: No. Since the 1st of May 2026, it's unlawful for landlords and letting agents to refuse you a tenancy, or treat you differently during the application process, because you receive benefits. This covers obvious cases like a "no DSS" advert, but also less obvious ones - such as requiring applicants to be in full-time employment as a way of screening out benefit claimants. Landlords also can't disregard your benefit income when working out whether you can afford the rent.

Q: Can a landlord refuse to rent to me because I have children?

A: No, that's also unlawful. You must be assessed on your individual circumstances rather than excluded by a blanket "no children" policy. There are exceptions, for example where a specific room genuinely isn't suitable for a family - for example, a single room in a shared house - which a landlord can assess on that basis, but they still can't operate a blanket rule against families in general.

Q: What about clauses in a mortgage or insurance policy that ban letting to tenants with children or on benefits?

A: Any such clause in a mortgage, insurance policy or head lease is no longer valid, even if it existed before the Act came into force, and a landlord can't rely on it as a reason to turn you down. In practice, some insurance products may take a little longer to formally update their wording as existing policies run their course, but that doesn't change your legal protection in the meantime.

Q: What should I do if I think I've been treated unfairly when applying for a property?

A: Your local Winkworth office can look into this with you - all our offices are expected to assess applicants fairly on their individual circumstances. This kind of discrimination is also enforceable by your local council, which can issue a civil penalty against a landlord or agent found to have breached the rules.