

Enforcement Measures for Landlords

Landlord FAQ

Q: What happens if I don't comply with the Act?

A: You could face a fine of up to £7,000 for breaches such as using a fixed-term agreement, ending a tenancy verbally, failing to provide written terms, or not following the correct possession process.

Q: What counts as a more serious or repeated breach?

A: Examples include remarketing a property within a restricted period or relying on a possession ground that wouldn't succeed. These can attract additional penalties of up to £40,000.

Q: Who enforces these rules?

A: Local authorities, who have held enhanced investigatory powers - including the ability to inspect properties and request documents - since the 27th of December 2025. But they're not the only route: rent repayment orders and rent increase challenges are handled by the First-tier Tribunal (Property Chamber), criminal prosecution is used as an alternative to a civil penalty for the more serious offences such as unlawful eviction or harassment, and possession proceedings themselves go through the courts.

Q: What kind of records should I keep to protect myself?

A: Keep clear records of your tenancy documentation, notices served, and any correspondence with tenants, so you can respond promptly if a local authority requests information.

Q: Can non-compliance ever become a criminal matter, rather than just a fine?

A: Yes. If a civil penalty is issued and the breach continues for more than 28 days afterwards (or after any appeal concludes), or if you receive a second civil penalty within five years of an earlier one, this can be treated as a criminal offence rather than simply a further fine.

Q: Can Winkworth help make sure I stay compliant?

A: Yes - working with a Winkworth office means your tenancies are managed correctly and kept fully compliant with the enforcement regime as it evolves.

Q: What should I do if I'm not sure whether I'm currently compliant?

A: Contact your local Winkworth office. It's much better to check now than to wait until a local authority raises a query.