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# What is Rental Discrimination?

The RRA brings in safeguards to prevent discrimination in the private rental sector

Landlords cannot reject prospective tenants on the basis that:

- They receive benefits, and or
- They have children

This includes stopping a person on benefits or who has children from:

- Accessing information about a property, including its availability
- Viewing a property
- Signing a tenancy agreement

A landlord or agent cannot use terms like:

“Working households only”

“Professionals only”

“Sorry, no DSS or benefit claimants.”

“Sorry, no children”

# How will the Rental Discrimination rules work? /1

Discriminatory terms, no children or people on benefits will have no effect from 1 May 2026 even if they are:

- Still set out in an existing tenancy agreement;
- Are part of the terms of a superior leases (such as between a landlord and their freeholder),
- Contained in an existing mortgage agreement

They do not have to be removed from agreements however, they are just no longer valid terms

There is an exception for insurance contracts that contain terms such as 'no children' or 'no one on benefits'. These will continue to be valid rules until the insurance contract is cancelled or renewed

# How will the Rental Discrimination rules work? /2

Children are defined as under 18 years old

Benefits are listed and includes the common benefits such as:

- Universal Credit
- Jobseeker's Allowance
- Personal Independence Payment
- Employment and Support Allowance
- Income Support

# What can a landlord consider when deciding who to let to?

- Landlords can consider affordability
- References from a previous tenancy
- Credit referencing checks

They can also require a rent guarantor but only if they apply that requirement to all prospective tenants

A landlord will be able to set a minimum income requirement but then cannot ignore income from benefits when deciding if someone meets that minimum income threshold.

Given that rents will be market rents setting a minimum income threshold linked to that market rent is still likely to end up ruling out people on benefits

# What can a landlord consider when deciding who to let to? – Children restrictions

The RRA does give landlords some leeway in respect of children

Landlords may refuse prospective tenants with children if they can demonstrate that their decision to refuse is a proportionate means of achieving a legitimate aim (PMLA)

Examples of what might be a PMLA in relation to a prospective tenant with children:

- a) The home is retirement home
- b) It is student housing
- c) A room in an HMO which just has single people
- d) The property would be too small causing overcrowding.
- e) The property would be unsafe for children