



Ministry of Housing,  
Communities &  
Local Government

Guidance

# Investigatory powers guidance for Renters' Rights Act 2025

Updated 12 November 2025

---

<b>Applies to England</b>
---------------------------

Contents

Overview

Asking a relevant person for information

Asking any person for information

Powers to enter a business premises

Entering business premises to investigate

Taking documents after entry into business premises

Suspected residential tenancy - power of entry

Using Council Tax, Housing Benefit and Tenancy deposit information s.134

Investigatory powers under the Housing Act 2004 s.135

Client Money Protection schemes: investigatory powers s.136



© Crown copyright 2025

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gov.uk](mailto:psi@nationalarchives.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at <https://www.gov.uk/government/publications/investigatory-powers-guidance-for-renters-rights-act-2025/investigatory-powers-guidance-for-renters-rights-act-2025>

# Overview

This act gives local housing authorities new powers to investigate whether a landlord or an agent letting out private rented housing has broken certain laws. These new powers will commence on 27 December 2025 - that is they can be used from that date.

The act and this guidance set out which legislation particular investigatory powers apply to. Care should be taken to ensure that the power can be exercised for the purpose a local housing authority intends.

For example, some of these investigatory powers can be used to support local housing authority investigations relating to illegal eviction, poor housing conditions and other housing legislation where they apply to relevant accommodation.

Please note that some of the legislative provisions listed in each section will not be in force when the guidance is issued or will be amended later. The provisions not in force are:

- Protection from Eviction Act 1977, section 1A
- Renters' Rights Act, chapter 3 of Part 1 and Part 2

As a local housing authority officer, authorised in writing by the local housing authority to exercise the investigatory powers, you may be able to use these powers if you suspect certain laws have been broken. These powers can support your investigations, and in certain situations, include the ability to:

- enter a business property to seize documents
- ask people or organisations for information
- enter a residential property if you are specially authorised

Some of these powers do not apply to enforcement action against Parliament or the Crown.

## Asking a relevant person for information

When you are investigating whether someone has broken the law in relation to the below list of legislation, you can ask a relevant person for information to use as evidence.

You can require this from anyone who has acted in the past twelve months as a landlord, agent, licensor, or marketer in connection with the relevant accommodation. You can also ask for information from anyone who, in the past twelve months, had an estate or interest in the relevant accommodation or who purported to act for someone with such an interest or a licensor. This person is referred to as a 'relevant person' in the Renters' Rights Act, section 114(2).

You can use this power to support enforcement of the following legislation:

- [Protection from Eviction Act 1977, sections 1 and 1A](https://www.legislation.gov.uk/ukpga/1977/43/section/1)  
(<https://www.legislation.gov.uk/ukpga/1977/43/section/1>)
- [Housing Act 1988, chapter 1 of Part 1](https://www.legislation.gov.uk/ukpga/1988/50/part/I)  
(<https://www.legislation.gov.uk/ukpga/1988/50/part/I>)
- [Enterprise and Regulatory Reform Act 2013, section 83\(1\) or 84\(1\)](https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents)  
(<https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents>)
- [Housing and Planning Act 2016, sections 21 to 23](https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/consequences-of-banning-order-including-consequences-of-breach)  
(<https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/consequences-of-banning-order-including-consequences-of-breach>)
- Renters' Rights Act, chapter 3 of Part 1 and Part 2 (Not in force when the guidance is issued)

## Asking for information

If you want to use this power, you must give notice to the person or organisation from whom you are requiring the information. The notice must:

- be in writing
- specify that it is given under section 114 of the Renters' Rights Act 2025
- explain the possible consequences of not giving the information

A notice does not require a person to provide information or documents that they could refuse to provide in High Court proceedings due to legal professional privilege.

You can also ask for this information to be given:

- by a specific date
- in a specific format, for example, original or digital documents
- in a new document with specific information
- to a specific person or enforcement authority

## When a relevant person does not give information

If a relevant person, has not given you the information you asked for, they may have committed an offence and the courts could find them liable for a fine not exceeding level 3 on the standard scale. The potentially relevant offences are set out in section 131 of the Renters Rights Act 2025.

The relevant person will not be guilty of an offence if they have given you a reasonable excuse for why they have not given the information to you.

If the person gives you information which they know is false or misleading or is reckless as to whether it is false or misleading, they will also commit an offence and may also be liable for a fine. A person has the right not to give information if it might incriminate them.

## Asking for communications data

When using the powers to require information under the Renters' Rights Act 2025 you must comply with the Investigatory Powers Act 2016 (as amended) (IPA). For more information, you should refer to the [IPA](https://www.legislation.gov.uk/ukpga/2024/9/contents) (<https://www.legislation.gov.uk/ukpga/2024/9/contents>) and the [Communications Data Code of Practice](https://www.gov.uk/government/publications/communications-data-code-of-practice) (<https://www.gov.uk/government/publications/communications-data-code-of-practice>).

## Asking any person for information

When you reasonably suspect that someone has broken the law in relation to the below list of legislation, you can require any person or organisation to provide information, in order to investigate whether any of those laws have been broken.

You can also ask for the information after the investigation is over to help set the level of any civil penalty.

You can use this power to support enforcement of the following legislation (the rented accommodation legislation (section 115(3)):

- [Protection from Eviction Act 1977, sections 1 and 1A](https://www.legislation.gov.uk/ukpga/1977/43/section/1)  
(<https://www.legislation.gov.uk/ukpga/1977/43/section/1>)  
(section 1A not in force when the guidance is issued)
- [Housing Act 1988, chapter 1 of Part 1](https://www.legislation.gov.uk/ukpga/1988/50/part/I)  
(<https://www.legislation.gov.uk/ukpga/1988/50/part/I>)
- [Enterprise and Regulatory Reform Act 2013, section 83\(1\) or 84\(1\)](https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents)  
(<https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents>)
- [Housing and Planning Act 2016, sections 21 to 23](https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/sequences-of-banning-order-including-consequences-of-breach)  
(<https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/sequences-of-banning-order-including-consequences-of-breach>)
- Renters' Rights Act, chapter 3 of Part 1 and Part 2 (Not in force at the time this guidance was issued)
- [Housing Act 2004, parts 1 to 4 and 7](https://www.legislation.gov.uk/ukpga/2004/34/contents)  
(<https://www.legislation.gov.uk/ukpga/2004/34/contents>)

## Asking for information

If you want to use this power, you will need to give notice to the person or organisation from whom you are seeking the information requiring them to provide it. The notice must:

- be in writing
- specify that it is given under section 115 of the Renters' Rights Act 2025
- explain the possible consequences of not giving the information

You can also ask for this information to be given:

- by a specific date
- in a specific format, for example, original or digital documents
- in a new document with specific information
- to a specific person or enforcement authority

## When any person does not give information

If a person or organisation you have requested information from using the any person provision has not given you the information you asked for, you

can apply for a court order to enforce the notice under section 116 of the Renters' Right Act 2025.

The court may make an order if it is satisfied that the person you requested the information from has not complied with that request. The court order could compel the person to give the information that you have asked for. The court could also ask that person to pay for the costs of applying for the order.

When you have asked for information from a company, partnership or unincorporated association, the court may ask a person holding an official position at the company and who is responsible for not providing the information, to meet the costs of applying to the court.

### **Limitations of the use of information collected using the any person power**

If someone provides information under the any person power, that information may not be used against the person who provided it in any criminal proceedings. The prosecution also cannot ask questions about this information in criminal proceedings.

The person who might be incriminated by the information they gave may, however, use the information or ask questions about it during criminal proceedings. The limitations on the use of information provided under section 116 are set out in section 117 of the Renters' Rights Act 2025.

If someone knowingly and wilfully makes false statements or provides certain types of false information, even if not under oath, it may be possible to prosecute them under [section 5 of the Perjury Act 1911](https://www.legislation.gov.uk/ukpga/Geo5/1-2/6/section/5) (<https://www.legislation.gov.uk/ukpga/Geo5/1-2/6/section/5>). This applies to information collected using the any person power.

## **Asking for communications data**

When using the powers to require information under the Renters' Rights Act 2025 you must comply with the Investigatory Powers Act 2016 (as amended). For more information, you should refer to the [IPA](https://www.legislation.gov.uk/ukpga/2024/9/contents) (<https://www.legislation.gov.uk/ukpga/2024/9/contents>) and the [Communications Data Code of Practice](https://www.gov.uk/government/publications/communications-data-code-of-practice) (<https://www.gov.uk/government/publications/communications-data-code-of-practice>).

# Powers to enter a business premises

The Renters' Rights Act contains powers to enter a rental sector business premises without, and with, a warrant under sections 118 and 121 respectively. You can enter a business premises at a reasonable time to request documents and or to seize evidence if you reasonably believe a relevant person is running a rental sector business there. A relevant person is defined in the Renters' Rights Act 2025, section 114(2) as anyone who has, in the past twelve months, in relation to relevant accommodation:

- had an estate or interest in the premises, (unless they are a mortgage lender who is not in possession of the premises)
- been a licensor
- marketed the premises
- acted for or purported to act for someone with an estate or interest in the premises or a licensor

**Relevant accommodation** means any residential accommodation in England that is connected with the exercise of the function for which you intend to exercise the investigatory power, see section 114(10).

Rental sector business is defined in the Renters' Rights Act 2025, section 118(9) as a business connected with:

- letting residential accommodation in England
- creating licences to occupy such accommodation
- marketing such accommodation for a tenancy or licence to occupy
- managing such accommodation under a tenancy or licence to occupy

These powers of entry may not be used for premises that are wholly or mainly used as a home.

You can only enter the premises to investigate if you suspect a breach or offence has been committed under the rented accommodation legislation and your suspicion is a reasonable one. You also need to be satisfied that your entry is necessary to require documents to be produced or to seize documents which are on the business premises and could help your investigation.

You can use these powers of entry into business premises (with and without a warrant) to support enforcement of the rented accommodation legislation (section 115(3)):



- [Protection from Eviction Act 1977, sections 1 and 1A.](https://www.legislation.gov.uk/ukpga/1977/43/section/1)  
(<https://www.legislation.gov.uk/ukpga/1977/43/section/1>)
- [Housing Act 1988, chapter 1 of Part 1](https://www.legislation.gov.uk/ukpga/1988/50/part/I)  
(<https://www.legislation.gov.uk/ukpga/1988/50/part/I>)
- [Parts 1 to 4 and 7 of the Housing Act 2004](https://www.legislation.gov.uk/ukpga/2004/34/contents)  
(<https://www.legislation.gov.uk/ukpga/2004/34/contents>) so far as it relates to qualifying residential premises within the meaning given by section 2B of the Housing Act 2004
- [Enterprise and Regulatory Reform Act 2013, section 83\(1\) or 84\(1\)](https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents)  
(<https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents>)
- [Housing and Planning Act 2016, sections 21 to 23](https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/consequences-of-banning-order-including-consequences-of-breach)  
(<https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/consequences-of-banning-order-including-consequences-of-breach>)
- Renters' Rights Act, chapter 3 of Part 1 and Part 2. (Not in force at the time this guidance was issued)

## Entering business premises to investigate

If you are the person exercising the power of entry into business premises, you are allowed to:

- take another person or people with you, who will then have the same powers whilst they are with you
- take equipment
- take photographs
- make recordings

## Giving notice to enter business premises without a warrant

You can use the power of entry without a warrant for routine inspections. You must provide an occupier of the business premises with at least 24 hours' written notice, though the occupier can waive the requirement to provide the full 24 hours' notice and allow entry earlier if they wish.

If the occupier chooses to waive the full notice requirement, it is important to make sure that the person giving the waiver fully understands their rights and the consequences of giving the waiver before you act upon it.

If notice is not waived, the notice must:

- be in writing and given by a local housing authority officer
- explain why you need to enter the premises
- explain what offences may be committed if a person without reasonable excuse seeks to obstruct entry, fails to comply with a requirement or to give assistance or information, or knowingly or recklessly gives false or misleading information

You do not need to give 24 hours' notice if you are exercising the power of entry for a non-routine inspection. A non-routine inspection is when:

- it is not reasonably practical to give notice
- an officer reasonably believes that giving notice would defeat the purpose of entry

If you enter a business premises without a warrant, you must give to at least one person on the premises (if there are any):

- evidence of your identity and authority

If you enter without giving notice (a non-routine inspection) you must give to at least one person on the premises (if there are any):

- a document explaining why you are entering and why it is necessary
- information about what offences they could be committing if they do not cooperate

If it is not reasonably practical to provide the information set out above, for example due to safety concerns or if the person on the premises fled before you had a chance to give the above information, any information already collected can still be used as evidence in your investigation.

## **Entering a business premises with a warrant**

If you cannot carry out a routine inspection with at least 24 hours' notice, you may also apply to a justice of the peace for a warrant to enter specified premises under the Renters' Rights Act 2025, section 120.

To apply for the warrant, you must provide written evidence under oath that one of the following applies:

- you have been refused entry or believe you are likely to be refused entry, and you have notified an occupier of the premises of your intention to apply for a warrant
- you believe that giving notice might result in evidence being hidden or tampered with
- no occupier is present, and waiting for an occupier might defeat the purpose of the entry

You will also need to provide evidence that you are acting in your official capacity and that there are reasonable grounds to suspect the premises are used by a relevant person for rental sector business and are not wholly or mainly residential accommodation.

Additionally, you need to show that you expect there to be documents on the premises that you could require a person to produce or that could be seized under the Renters' Rights Act 2025.

Once granted, your warrant will be valid for one month starting on the day it is issued.

When entering a business premises under a warrant you may use reasonable force if necessary.

When you enter the premises, you must show the warrant to at least one occupier if there are people present.

If there are no people in the premises, then you must:

- leave a notice that the premises have been entered under warrant granted under section 120 of the Renters' Rights Act 2025
- make sure the property is as secure when you leave as it was before you entered

## **Business premises: requiring the production of documents following entry**

Once you have entered the business premises, either under section 118 or a warrant under section 120 of the act, you can ask for documents from a relevant person occupying the premises or someone acting on their behalf, at any reasonable time. You can ask for documents to try to determine

whether there has been compliance with the rented accommodation legislation where you reasonably believe there has been non-compliance.

You can only ask for documents related to the business for which the premises are occupied and to which the person you are asking has access. You can ask for documents if you think they may be needed as evidence. You can take copies of the documents produced.

You can ask for the documents to be explained to you. If the document is electronic, you can require a copy of the document in a format that you can easily take away, for example, a hard copy.

You cannot require the production of documents which are legally confidential, such as communications between a lawyer and their client.

You can request documents even if the need for them relates to someone other than the relevant person who is required to provide them.

## **Taking documents after entry into business premises**

When using either of the powers of entry into a business premises, you have the power to seize and detain documents if you have a reasonable suspicion that they may be required as evidence in proceedings for a breach or offence under the rented accommodation legislation.

If there are people on the premises, before you seize documents, you must show at least one person proof of your identity and authority. However, if it is not reasonably practicable to do so, you do not need to.

When seizing documents, you must take reasonable steps to tell the person who you are seizing them from that they have been seized and give them a written record of what you are taking.

When deciding what steps you should take to inform the person that documents have been seized and to provide them with a written record, you must have regard to any relevant rules around seizing property that are set out in a code of practice made under [section 66 of the Police and Criminal Evidence Act 1984](https://www.legislation.gov.uk/ukpga/1984/60/section/66) (<https://www.legislation.gov.uk/ukpga/1984/60/section/66>).

You cannot seize documents that are legally confidential, such as communications between a lawyer and their client.

You can usually only keep the documents for 3 months from the day they were seized. If the documents are needed for legal proceedings (related to

why they were seized), you can keep them for longer. However, you cannot keep the documents for longer than needed for those proceedings.

If there are electronic devices on the premises which you suspect may hold information that you may wish to seize under this power, you can require someone with approved access to access that information if that is reasonably necessary. If such a person does not access the device after you have required them to do so, you can access the device yourself.

## **Criminal Justice and Police Act 2001: additional powers of seizure**

If you take copies of documents using the power under section 122(1)(b) or you seize documents under section 123 of the Renters' Rights Act 2025 following entry into business premises (under the Renters' Rights Act), additional powers of seizure under [section 50 of the Criminal Justice and Police Act 2001](https://www.legislation.gov.uk/ukpga/2001/16/part/2) (<https://www.legislation.gov.uk/ukpga/2001/16/part/2>) apply.

If you reasonably suspect that a document may be needed as evidence for a breach or offence under the rented accommodation legislation, you can take it.

If you reasonably believe the document is something you are allowed to search for or seize or that it contains information you are allowed to seize, but it's not reasonably practical to decide this on the premises or to separate it on the premises, you can take the document using the additional powers in [section 50 of the Criminal Justice and Police Act 2001](https://www.legislation.gov.uk/ukpga/2001/16/section/50) (<https://www.legislation.gov.uk/ukpga/2001/16/section/50>).

You will then need to assess if the document is relevant as soon as reasonably practicable afterwards. If it is not relevant you will need to give it back as soon as reasonably practicable.

If you are sure that a document contains information that may be needed as evidence you can take it, using the additional powers in [section 50 of the Criminal Justice and Police Act 2001](https://www.legislation.gov.uk/ukpga/2001/16/section/50) (<https://www.legislation.gov.uk/ukpga/2001/16/section/50>), even if it cannot be separated from a part you could not otherwise take.

If you are unsure whether the information in a document may be needed as evidence and it cannot be separated from information you know is not relevant, then you cannot take it.

If you take documents using the additional powers of seizure [under section 50 of the Criminal Justice and Police Act 2001](https://www.legislation.gov.uk/ukpga/2001/16/section/50) (<https://www.legislation.gov.uk/ukpga/2001/16/section/50>) you will need to comply

with the notice requirements to the occupier under [section 52](https://www.legislation.gov.uk/ukpga/2001/16/section/52) (<https://www.legislation.gov.uk/ukpga/2001/16/section/52>) of that act.

## **Access to seized documents s.124**

A person who had possession or control of a document immediately before it was seized, or their representative, can request:

- access to the documents
- a copy or photograph of the document

On receipt of a request, you must:

- give the person access to the documents under the supervision of a local housing authority officer
- allow the person to take a copy or photograph it under the supervision of a local housing authority officer
- provide the person with a copy or photograph of the document within a reasonable time of their request

If you have good reason to think that allowing access to the document, or providing photographs or copies of it, would undermine or be detrimental to the reason why the document was seized, you can refuse the request.

You can ask the person who requested the information to cover your reasonable costs of meeting the request, for example photocopying costs.

## **Appeal against detention of documents s.125**

A person can ask the magistrates' court to release the documents detained under the Investigatory Powers in Part 4 of the Renters' Rights Act 2025. A person must have an interest in the documents to make a valid request. If there are court proceedings brought as a result of the investigation that led to the documents being seized, an application will need to be made to the magistrates' court for a hearing. If there are no proceedings the application is made as a complaint to a magistrates' court.

The court may only order the release of documents if certain conditions are met. These are that:

- the investigation that led to the documents being seized has not resulted in any court proceedings starting

- it has been 6 months or more since the documents were seized
- court proceedings have now finished

A person or local housing authority officer disagreeing with any magistrates' court decision can appeal this decision through the Crown Court.

## Suspected residential tenancy - power of entry

You can use this power to enter a residential property at a reasonable time if you are specially authorised and reasonably suspect the property is being privately rented out as a home (a residential tenancy, see section 63 of the act), and if you need to inspect the premises to investigate whether there has been:

- an offence under [section 1 of the Protection from Eviction Act 1977](https://www.legislation.gov.uk/ukpga/1977/43/section/1) (<https://www.legislation.gov.uk/ukpga/1977/43/section/1>)
- certain breaches and offences under certain database provisions in the Renters Rights Act 2025

The residential power of entry without a warrant under section 126 is available to support enforcement in respect of the following database provisions:

- breach of the duty on a residential landlord to ensure an active landlord and active dwelling entry in the database, section 82(3)
- the offence of knowingly or recklessly providing false or misleading information to the database operator, section 92(1)
- the offence of continuing to breach the duty to ensure an active landlord and dwelling entry in the database at the end of a 28 day period beginning on the day on which a financial penalty for the breach was imposed, section 92(2)
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database section 82(3) when a relevant penalty has been imposed for a breach of requirements under section 82(1), 82(2) or 82(3), section 92(3)
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database within 5 years of either receiving a penalty or a conviction for a database offence, section 92(4)

## **Entering residential premises without a warrant to investigate**

You can only use this power to enter if:

- you have the correct authorisation by a deputy chief officer or their superior, whose duties relate to the purpose for which you want to enter the residential premises
- your authorisation states the specific purpose for which you are authorised to enter the residential premises

If you are the person exercising the power of entry, you are allowed to:

- take another person or people with you, who will have the same powers whilst they are with you
- use equipment
- take photographs
- make recordings

Before you enter you must give at least 24 hours' notice to the person or people living there and to any other person who has an interest in the property, like the owner. You do not, however, need to give prior notice to a residential landlord within the meaning of Part 2 of the Renters Rights Act 2025, see section 63. The requirement to give notice to a person with an interest also does not include a mortgagee not in possession of the premises. You must give notice to a residential landlord informing them that the property was entered, including the date of the entry and the purpose of the entry, within a reasonable period after the entry.

You only need to give notice to other people who have an interest in the property but do not live there if they have provided the local housing authority with an address for this purpose.

This notice must:

- be in writing
- be given by an officer of the local housing authority
- explain why you need to enter the premises
- explain what laws a person may be breaking if they obstruct the entry or fail to comply with properly imposed requirements



A person can waive the need for the full 24 hours' notice. If they choose to waive the full notice requirement, it is important to make sure the person giving the waiver understands that they otherwise have a right to receive notice and the consequences of waiving it.

However, you cannot enter a residential property without giving the required notice unless all people living in the property, and everyone with an interest in the property who has a right to notice, waived it.

For example, if all of the people living at the property waive their right to notice, but an owner with a right to notice does not, you must follow the notice requirements before entering the property.

When you enter a property without a warrant, and find occupiers in the property you must show them to at least one occupier if there is more than one:

- your ID
- a document saying you are specially authorised to enter the property to the occupier or at least one occupier if there is more than one.

There may be times when it's not reasonably practicable to show your ID and special authorisation document upon entry, such as if you encounter aggressive behaviour or if the occupiers have fled before you can show them the documents. When this happens, any information already collected can still be used as evidence in your investigation.

## **Suspected residential tenancy: entry with a warrant**

You can apply for a warrant if you have been refused entry without a warrant. You can also apply for a warrant if no-one is in the property to let you in and waiting for someone might defeat the purpose of the entry.

You can also apply for a warrant if you think giving the person on the premises and/or anyone with an interest in the property, who would have a right to notice, at least 24 hours' notice might defeat the purpose of entry. To ask for a warrant, you must apply in writing under oath to a justice of the peace.

You can apply for a warrant to enter a residential premises if you believe it is necessary to enter the premises to investigate an offence under [section 1 of the Protection from Eviction Act 1977](https://www.legislation.gov.uk/ukpga/1977/43/section/1) (<https://www.legislation.gov.uk/ukpga/1977/43/section/1>) or certain breaches or offences of certain database provisions in the Renters' Rights Act 2025.

These are the same provisions for which the power of entry without a warrant under section 126 may be exercised (at the point this guidance is issued only section 1 of the Protection from Eviction Act 1977 is in force):

- breach of a duty of a residential landlord to ensure an active landlord and active dwelling entry in the database, section 82(3)
- the offence of knowingly or recklessly providing false or misleading information to the database operator, section 92(1)
- the offence of continuing to breach the duty to ensure an active landlord and dwelling entry in the database at the end of a 28-day period beginning on the day on which a financial penalty for the breach was imposed, section 92(2)
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database under section 82(3) when a relevant penalty has been imposed for a breach of requirements under section 82(1), 82(2) or 82(3), section 92(3)
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database within five years of receiving either a penalty or a conviction for a database offence, section 92(4)

The application under oath will also need to confirm that in entering the residential premises you would be acting in the course of your employment or under the instruction of the local housing authority and that you reasonably suspect the property is being privately rented out as a home (a residential tenancy, see section 64 of the act).

If a warrant is granted it will include the following information:

- the name of the person authorised to enter, this will be the officer who applied for the warrant
- the property that the person named in the warrant is authorised to enter

Once the inspection has been completed the warrant will expire.

When you are entering with a warrant, you will be able to:

- enter the premises at any reasonable time
- use reasonable force to enter, if necessary
- take another person, or persons, who will have the same powers as you, but only whilst with you and under your supervision
- use equipment
- take photographs
- make recordings

You must show the warrant to at least one occupier if there are people in the property.

If there are no people in the property, then you must:

- leave a notice that the premises have been entered under warrant issued under section 128 of the Renters Rights Act 2025
- make sure the property is as secure when you leave as it was before you entered.

## Using Council Tax, Housing Benefit and Tenancy deposit information s.134

### [Section 212A of the Housing Act 2004](https://www.legislation.gov.uk/ukpga/2004/34/section/212A)

[\(<https://www.legislation.gov.uk/ukpga/2004/34/section/212A>\)](https://www.legislation.gov.uk/ukpga/2004/34/section/212A) allows you to use information from tenancy deposit schemes and [section 237](https://www.legislation.gov.uk/ukpga/2004/34/section/237)

[\(<https://www.legislation.gov.uk/ukpga/2004/34/section/237>\)](https://www.legislation.gov.uk/ukpga/2004/34/section/237) allows you to use information from Housing Benefit and Council Tax to investigate if certain laws have been broken. For example, to check if:

- several claims for Housing Benefit are made from the same address
- there are too many people living in the property
- the property is being rented
- the property may need a licence as an HMO

The Renters' Rights Act 2025 makes provision so that you can use this information to support enforcement of the following legislation.

- [Protection from Eviction Act 1977, sections 1 and 1A](https://www.legislation.gov.uk/ukpga/1977/43/section/1)  
[\(<https://www.legislation.gov.uk/ukpga/1977/43/section/1>\)](https://www.legislation.gov.uk/ukpga/1977/43/section/1)
- [Housing Act 1988, chapter 1 of Part 1](https://www.legislation.gov.uk/ukpga/1988/50/part/I)  
[\(<https://www.legislation.gov.uk/ukpga/1988/50/part/I>\)](https://www.legislation.gov.uk/ukpga/1988/50/part/I)
- [Part 7 of the Housing Act 2004](https://www.legislation.gov.uk/ukpga/2004/34/part/7)  
[\(<https://www.legislation.gov.uk/ukpga/2004/34/part/7>\)](https://www.legislation.gov.uk/ukpga/2004/34/part/7) so far as it relates to qualifying residential premises withing the meaning given by section 2B of the Housing Act 2004.
- [Enterprise and Regulatory Reform Act 2013, section 83\(1\) or 84\(1\)](https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents)  
[\(<https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents>\)](https://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/redress-schemes-lettings-and-property-management-agents)
- [Housing and Planning Act 2016, sections 21 to 23](https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/cons)  
[\(<https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/cons>\)](https://www.legislation.gov.uk/ukpga/2016/22/part/2/chapter/2/crossheading/cons)

[sequences-of-banning-order-including-consequences-of-breach](#)), 41 and 133 to 135

- Renters' Rights Act 2025, chapter 3 of Part 1 and Part 2 (Not in force at the time this guidance was issued)

## Investigatory powers under the Housing Act 2004 s.135

The Renters' Rights Act 2025 amends the power under [section 235 of the Housing Act 2004](#) (<https://www.legislation.gov.uk/ukpga/2004/34/section/235>) (power to require documents to be produced) so that it now also covers [Part 7 of the Housing Act 2004](#) (<https://www.legislation.gov.uk/ukpga/2004/34/part/7>) in relation to any qualifying residential premises within the meaning given by [section 2B of the Housing Act 2004](#) (<https://www.legislation.gov.uk/ukpga/2004/34/schedule/14/paragraph/2B>).

This means you can require information from a relevant person to inform the setting of civil penalties after you finish your investigations.

The act also amends [section 239 of the Housing Act 2004](#) (<https://www.legislation.gov.uk/ukpga/2004/34/section/239>). It removes the requirement to give 24 hours' prior notice to the owner of qualifying residential premises within the meaning of section 2B and replaces it with a duty to notify the owner within a reasonable period of time after entry takes place. The act also inserts an option for an occupier to waive their right to 24 hours' prior notice of entry under section 239 Housing Act 2004. It is important to make sure the person giving the waiver understands that they have the right to notice and the implications of waiving it. However, you cannot enter the property without giving the required notice unless all people living in the property, and everyone with an interest in the property, who has a right to notice, agrees that notice is not needed.

## Client Money Protection schemes: investigatory powers s.136

Local authorities are responsible for the enforcement of client money protection schemes regulations. Agents must be registered with a client money protection scheme under [sections 133-134 of the Housing and Planning Act 2016](#) (<https://www.legislation.gov.uk/ukpga/2016/22/section/133>) and [Regulation 3 of the Client Money Protection Schemes for Property Agents](#)

<https://www.legislation.gov.uk/ukxi/2019/386>) (Requirement to Belong to a Scheme etc) Regulations 2019.

The Renters' Rights Act 2025 enables you to investigate whether an agent is a member of a CMP scheme in accordance with [regulation 3 of The Client Money Protection Schemes for Property Agents](#)

<https://www.legislation.gov.uk/ukpga/2004/34/section/239>) (Requirement to Belong to a Scheme etc.) Regulations 2019.

You can contact us using this [form](#) <https://submitanenquiry.communities.gov.uk/start-now> if you have any questions. If there is a technical problem with the page, you can report it at the bottom of this page.



**OGI**

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated



© Crown copyright