As of today, June 1 2020 the Tenants Fees Act extends to cover all existing buy to let and shared house tenancies and licences in England, including student rentals.

There is already a ban on landlords and letting agents from charging fees when setting up a new tenancy but from today it will include:

• a ban on charging fees for renewing existing tenancies

• any clause in a tenancy agreement requiring the tenant to pay these fees are no longer legally binding

• security deposits are subject to a cap of no more than the amount of five weeks’ rent when the annual rent for a home is less than £50,000 a year

• Landlords can hold on to security deposits of more than the cap received under tenancy agreements or licences that started before June 1

Fees allowed are:

• rent,

• security deposits,

• costs related to breaking the terms of a tenancy agreement

• holding deposits.

Breaches

• Breaching the ban could trigger a fine of up to £5,000.

• A second breach within five years is a criminal offence with an unlimited fine and can lead to a banning order. Councils also choose to impose a fixed penalty of up to £30,000 rather than prosecuting through the courts.

• Tenants can also claim a refund of any unlawfully charged fees plus interest.

Rent Smart Wales introduced similar tenant fee rules on April 28.

There are some differences between tenant fee bans in England and Wales, the differences have been highlighted in a chart provided by The Tenancy Deposit Scheme (TDS). (See link below)

[https://www.tenancydepositscheme.com/wp-content/uploads/2019/12/Fees-Ban-Matrix-England-v-Wales\_Updated-Dec-2019\_A4.pdf](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.tenancydepositscheme.com%2Fwp-content%2Fuploads%2F2019%2F12%2FFees-Ban-Matrix-England-v-Wales_Updated-Dec-2019_A4.pdf&data=02%7C01%7Cmatthew.little639%40mod.gov.uk%7Ccda4ce5bd6c145dc3a6d08d806eb675d%7Cbe7760ed5953484bae95d0a16dfa09e5%7C0%7C1%7C637266955403099203&sdata=wfJpj6trGUg2HW40WbpgcieMYiumqrs6sEqqL92LkHU%3D&reserved=0)