**New Fitness for Human Habitation Act in rental homes comes into force today**

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The Homes (Fitness for Human Habitation) Act 2018 comes into force today, Wednesday 20th March.

It will apply to all new tenancies lasting up to seven years granted on or after today. It will also apply to existing tenancies that go periodic tomorrow or afterwards.

It will also apply to all periodic tenancies in existing from now in 12 months’ time.

Essentially, properties must be fit for human habitation when the lease is granted, and remain fit for human habitation during the course of the tenancy.

The Act strengthens tenants’ means of redress and they will be able to take action against landlords who fail to maintain their home, including any common parts of the building.

Unfitness claims will be decided in the courts, with legal aid available. The courts may order the landlord to pay compensation to the tenant.

The landlord will also have to remedy unfitness in their properties, unless it is caused by tenant behaviour or natural events such as storms and floods. Another exemption is if the landlord cannot get consent, eg planning permission.

The Act only applies to individuals, not to tenants who might be institutions, housing associations or local authorities.

It also only applies to people with tenancy agreements, as opposed to licences to occupy.

It is expected that there will in due course be more guidance emerging from the courts.

David Cox, CEO of Propertymark ARLA, said: “We’re pleased the Homes Act is coming into force today and congratulate Karen Buck MP on her work to provide a better private rented sector for all.

“This new legislation will give renters greater protection against criminal operators, and means they will now be able to take direct legal action if their agent or landlord does not comply.”

A series of official guides can be found at the link below:

<https://www.gov.uk/government/publications/homes-fitness-for-human-habitation-act-2018>