

Property Matters

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Homesforth Ltd

Spring 2026

A New Era: What 2026 Means for You

The pace of housing reform in Wales continues. Following our Winter 2025 overview of discrimination reforms and cross-border implications of the Renters' Rights Act, 2026 brings further clarification and firmer expectations for landlords operating under the Renting Homes (Wales) Act 2016 framework.

Discrimination Provisions: Moving from Principle to Practice

As highlighted in our Winter edition, Wales is embedding specific anti-discrimination provisions into rental law. We saw on the 16th January 2026, Welsh Ministers enacting The Renters' Rights Act 2025 (Commencement) (Wales) Order 2026. This introduced new sections into the Welsh tenant fees legislation, prohibiting blanket bans on applicants with children or those in receipt of benefits.

This marks a decisive shift away from historic "No DSS" or "No Children" advertising practices. Many landlords have already adapted in response to equality law developments. The Welsh framework now places these duties firmly within housing legislation itself.

Importantly, the provisions extend beyond simple advertising. Mortgage lenders, insurers and superior landlords must not impose conditions that indirectly result in discriminatory letting policies, unless objectively justified as a proportionate means of achieving a legitimate aim (PMALA). A PMALA example might be a minimum age of 55 planning requirement for occupancy in a retirement community, this would prohibit children.

What this means for landlords:

- Review finance and insurance terms carefully.
- Ensure referencing criteria are objective and evidence-based.
- Avoid blanket exclusions in application processes.
- We can work closely with you as your agent to advise and document

decision-making.

The emphasis is not on removing choice — it is on ensuring fairness and transparency.

Fundamental Terms and Contract Variations

The Welsh Government's approach continues to centre around occupation contracts. New fundamental terms addressing discrimination will be incorporated into the statutory framework under the Renting Homes regime.

Fundamental terms carry special status, landlords must issue a variation by enactment for this change. Early preparation is advisable to avoid a last-minute administrative burden.

If you would like to know more, we can discuss with you about how we will be:

- Updating our template occupation contracts
- Preparing variation notices
- Ensuring compliance across existing portfolios.

This is particularly important for let only landlords along with with multiple properties, where consistency of documentation reduces risk.

Enforcement: A More Proactive Landscape

Local authorities in Wales are expected to take a more assertive stance in enforcement during 2026. Fixed penalty fines for discrimination breaches begin at £1,000, rising for

continuing offences, with prosecution and unlimited fines possible for serious or repeated breaches.

Looking Ahead: Consultation and Change

The Welsh Government retains powers to extend discrimination protections to additional groups if risks are identified. The consultation remains an active part of policy development, and timelines may shift as regulations are finalised.

Building Safety in Wales

The forthcoming Building Safety (Wales) Bill, due before the Senedd in March 2026, introduces registration requirements for 3 categories of multi-occupied residential buildings; Category 1 and 2 are at least 18 and 11 metres high respectively or relevant storeys. Along with Category 3 which sweeps up the remaining smaller multi-let residential buildings and becomes relevant for many landlords who own or have properties in these types of buildings.

Proposals for the category 3 buildings will impose specific duties on principal accountable persons (owners), including:

- Fire risk assessments
- Maintenance of the "Golden Thread" of safety information
- Coordination with other duty holders
- Complaint handling procedures

For landlords operating in any of these buildings, governance and documentation requirements to a greater or lesser degree will intensify.

Final Thoughts

Change can feel demanding, but it also brings opportunity. Well-managed, compliant portfolios remain strong and

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