



Levelling Up, Housing and Communities Committee

Rt Hon. Michael Gove MP
Secretary of State for Levelling Up, Housing and Communities
Department for Levelling Up, Housing & Communities
2 Marsham Street
London, SW1P 4DF

8 November 2023

Dear Michael,

Delay to abolition of no fault evictions

I write regarding recent comments from yourself and your Department and Ministers attributing the decision to delay abolition of section 21 “no fault” evictions to my Committee’s *Reforming the Private Rented Sector* Report.¹

On 23 October 2023, during the debate on the Second Reading of the Renters (Reform) Bill, you said:

“There were a series of recommendations in the report, upon which we have acted. [...] it is the case that we will ensure that the justice system, which is controlled by the Ministry of Justice and His Majesty’s Courts and Tribunals Service, is fit for purpose before we move ahead with some of the reforms in the Bill.”²

Later in the debate, the Minister for Housing and Planning stated that:

“We have always committed to aligning and synchronising the reform of the private rented sector with the court system; we note that that was a recommendation of the Levelling Up, Housing and Communities Committee.”³

My Committee feels strongly that this is a mischaracterisation of the Committee’s recommendation and an attempt by the Minister for Housing and Planning to deflect blame for these delays away from the Government and toward the Committee. We feel doubly strongly about this given the significant delay the Government itself had in responding to the Committee’s Report.⁴

¹ LUHC Committee, Fifth Report of Session 2022-23, [Reforming the Private Rented Sector](#), HC 624

² HC Deb, 23 October 2023, [col 631](#) [Commons Chamber]

³ HC Deb, 23 October 2023, [col 696](#) [Commons Chamber]

⁴ LUHC Committee, Third Special Report of Session 2022-23, [The Department for Levelling Up, Housing and Communities’ response times to the Committee’s reports](#), HC 1813



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Our Report did warn the Government that “an unreformed courts system could undermine its tenancy reforms” and advised that “it is absolutely essential that the government significantly increase the courts’ ability to process possession claims quickly and efficiently and in a way that is fair to both landlords and tenants”.⁵ However, at no point did we recommend an indefinite delay to the abolition of section 21 as the way to solve this challenge.

Instead, our Report made two recommendations.⁶ The first was to introduce a specialist housing court, which the Government did not accept following consultation with the judiciary. The second was to agree, in consultation with landlords, how quickly the courts need to be processing possession claims before landlords can have confidence in the system, and then commit to meeting this target before abolishing section 21: the Government ignored this recommendation in its response⁷ and during Monday’s debate.

We are extremely concerned about this refusal to provide any target or timeline for when the reforms to the court system will allow the legislation to be enacted. The Government has not clarified which of the many proposals for court reform laid out in the White Paper *A Fairer Private Rented Sector*⁸ it believes must be implemented before section 21 can be abolished, nor has it said how long it expects these reforms to take. The lack of any timeline for implementation raises the concern that section 21 abolition may be indefinitely delayed.

During the Second Reading debate, my Committee colleague Natalie Elphicke MP highlighted that recent improvements in the speed of possession indicate that court processing times have already improved significantly since our inquiry took evidence in 2022.⁹ Therefore, the legal system may already be in a position to effectively implement the provisions of the Bill.

The Ministry of Justice’s latest mortgage and landlord possession statistics show a median time of 7.6 weeks between landlords marking repossession claims and court orders being issued in Q2 of 2023, a 65% reduction from Q2 2021.¹⁰ The median time for warrants to be issued has dropped from 32.0 weeks in Q1 of 2021 to 13.7 weeks today, which is in line with the equivalent quarters in 2019 (13.6 weeks) and 2018 (13.7 weeks). The Minister for Housing and Planning acknowledged the changed situation herself when she said “The courts have already made huge improvements.”¹¹

⁵ LUHC Committee, Fifth Report of Session 2022-23, [Reforming the Private Rented Sector](#), HC 624, paras 48 and 49

⁶ *Ibid.*

⁷ LUHC Committee, [Government’s response to the Committee’s Fifth Report of Session 2022-23, Reforming the Private Rented Sector](#), HC 1935

⁸ [A fairer private rented sector - GOV.UK \(www.gov.uk\)](#)

⁹ HC Deb, 23 October 2023, [col 648](#) [Commons Chamber]

¹⁰ [Mortgage and landlord possession statistics - GOV.UK \(www.gov.uk\)](#)

¹¹ HC Deb, 23 October 2023, [col 695](#) [Commons Chamber]



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The Government has had four years to ensure the legal system is fit to handle the consequences of the abolition of section 21. It is therefore difficult for us to understand the Government's lack of urgency and transparency around court reforms. I re-iterate the request I made during the debate for the Government to provide a timetable for the abolition of section 21

I would be grateful for your response by 6 December or prior to the Committee Stage debate of the Renters (Reform) Bill, whichever is sooner.

Best wishes,

Clive Betts MP
Chair, Levelling Up, Housing and Communities Committee