businesscompanion
trading standards law explained

Landlords, letting agents and property management

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Key legislation

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for England

Legislation states that tenants may only be required to pay certain fees under their tenancy. There are also requirements for letting agents to display relevant fees, as well as requirements for letting agents and property managers to belong to redress and client money protection schemes.

Relevant businesses

The application of these requirements differs slightly between each provision. However, it includes landlords, letting agents and property managers.

In legal terms, a landlord includes a person who proposes to be, or has ceased to be, a landlord under a tenancy.

Letting agents and/or property managers are businesses that receive instructions from clients regarding

accommodation to be let, in order to:

- Introduce prospective tenants to landlords with accommodation available for rent
- Arrange assured tenancies between landlords and tenants
- Carry out property management work in respect of premises let under certain tenancies

Tenancy deposit schemes

Landlords and businesses that receive a tenancy deposit must transfer the deposit to an approved deposit scheme. The tenant must be provided with key information, including the name of the scheme and potential retention of the deposit.

More information on protecting tenancy deposits is available on the GOV.UK website.

Permitted fees

Landlords and letting agents may only require the following payments from tenants:

- Rent, if the landlord / letting agent **and** the tenant have signed the tenancy agreement
- Tenancy deposits, which may not exceed:
    - Five weeks' rent, where the annual rent is less than £50,000
    - Six weeks' rent, where the annual rent is £50,000 or more
- Holding deposits paid before a tenancy agreement is made, which must not exceed one week's rent
- Payments required in the event of a default by the tenant in respect to:
    - The loss of a key or other security device of the housing
    - Failure to make a payment of rent in full within 14 days of the due date
- Payments for granting requests made by tenants to vary tenancy agreements, which must not exceed £50 or the reasonable costs of granting the request
- Payments required where tenants terminate a tenancy agreement without giving the required notice, which must not be more than the loss suffered by the landlord or the reasonable costs of the letting agent in respect of the termination of the tenancy
- Council tax, payable to the relevant billing authority
- Provision of:
    - Utilities (gas, electricity, etc)
    - A television licence, payable to the British Broadcasting Corporation
    - Communication services (landline telephone, the internet, cable and satellite television)

These requirements apply to assured tenancies, licences and tenancies of student accommodation.

The Ministry of Housing, Communities and Local Government (MHCLG) has produced *Tenant Fees Act 2019: Guidance for Landlords and Letting Agents*, as well as new guidance on fees for landlords / letting agents and enforcement authorities to reflect legal changes that came into force on 1 May 2026.

Display of fees

Letting agents are required to publish their relevant fees, charges and penalties payable to the letting agent by a landlord or a tenant:

- In respect of letting agency work carried on by the agent
- In respect of property management work carried on by the agent
- Otherwise in connection with an assured tenancy of a dwelling

However, the following fees do not have to be published:

- Tenancy deposits
- Any fees, charges or penalties that the letting agent receives from a landlord under a tenancy on behalf of another person
- Any other fees, charges or penalties specified in regulations

Display requirement

Letting agents must display a list of relevant fees:

- In each of their premises where they deal with clients or potential clients face-to-face
- On their website (if they have one)

This list must be displayed in a conspicuous place.

Where a letting agent advertises property to let on a third-party website, that agent must either:

- Display a list of their relevant fees on that website
  or
- Provide a link on that website to a part of the agent's website where a list of those fees is published.

Fees content

The list of fees must include:

- An adequate description of each fee and its purpose
- Whether the fee relates to the property as a whole or is payable by each tenant
- The total amount of the fee inclusive of all taxes
- The method of calculating the fee, if the fee cannot be determined in advance

Client money protection scheme membership

Property agents (those who engage in letting agency or property management work in England) are required to belong to an approved client money protection scheme if they hold client money.

'Client money' is money received by a property agent in the course of letting agency work or property management work, and held on behalf of another person. This includes payments of rent, as well as deposit money before it is protected in an approved deposit protection scheme.

Client money protection membership is required for property agents that deal with housing let under a tenancy. This includes a licence, but does not include a tenancy for a term of more than 21 years.

Such property agents must display or publish, together with the required list of fees, a statement indicating that the agent is a member of a client money protection scheme; the statement must also provide the name of the scheme. This is required in-branch, on the agent's own website and on third-party websites used to advertise property to let. A link from a third-party website to the agent's own website is also permitted.

If the client money protection scheme to which a property agent belongs issues a certificate confirming membership of the scheme, the property agent must:

- Display the certificate at each of the agent's premises in England at which the agent deals face-to-face with clients, in a place where it is likely to be seen by the clients
- Publish a copy of the certificate on the agent's website (if they have one)
- Produce a copy of the certificate to any person who may reasonably require it, free of charge

Property agents must notify clients in writing within 14 days if their membership of a client money protection scheme is revoked or provide clients with details if they change membership to a different scheme.

Guidance on client money protection is available on the GOV.UK website.

Redress scheme membership

Property agents are required to belong to an approved redress scheme for dealing with complaints in connection with that work.

Redress scheme membership is required for letting agents that grant assured tenancies, and for property managers that manage assured tenancies, regulated tenancies and long residential leases.

Such property agents must display or publish, together with the required list of fees, a statement indicating that the agent is a member of a redress scheme; the statement must also provide the name of the scheme. This is required in-branch, on the agent's own website and on third-party websites used to advertise property to let. A link from a third-party website to the agent's own website is also permitted.

Guidance on redress scheme membership is available on the GOV.UK website.

Renters' Rights Act 2025

The majority of the Renters' Rights Act 2025 (RRA) is not a direct Trading Standards responsibility; therefore, it is not covered here. However, guidance on the RRA for landlords and letting agents can be found on the GOV.UK website.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Updated to cover changes in law that came into force on 1 May 2026.

Last reviewed / updated: May 2026

Key legislation

- Enterprise and Regulatory Reform Act 2013:
  - Part 6
- Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014
- Consumer Rights Act 2015:
  - Part 3, Chapter 3
- Housing and Planning Act 2016:
  - Part 2, Chapter 6
- Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc) Regulations 2019
- Tenant Fees Act 2019
- Renters' Rights Act 2025:
  - Part 1, Chapter 6

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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