

# Residential landlords in the sight line over illegal renters

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The Government's crackdown on illegal migration has seen a tripling of penalties for landlords who fail to enforce 'right-to-rent' rules.

The move will see landlords facing up to five years in prison and fines as high as £20,000.

The higher penalties will kick in at the start of 2024. For a first breach, fines have increased to £5,000 per lodger and £10,000 per occupier, with repeat breaches subject to penalties of up to £10,000 per lodger and £20,000 per occupier.

The law requires all landlords in England to conduct a right-to-rent check before letting their property, as set out under sections 20 to 24 of the Immigration Act 2014. It applies to residential tenancy agreements where "one or more adults have the right to occupy the premises", meaning those without lawful immigration status are excluded.

*"If a landlord is found to have knowingly let their property to an illegal tenant, they may be committing a criminal offence. Carrying out adequate right to rent checks gives rise to a 'statutory excuse' which guards against civil and criminal liability, so it's important to retain evidence of steps taken,"* said residential property solicitor Neil Boonin.

*"Every residential landlord has a responsibility to ensure that all legal requirements are met: they cannot avoid those responsibilities by simply assuming an agent is doing the necessary checks. They need to see evidence of the checks having been completed and know that records are kept in case there is any subsequent challenge. This increasingly volatile rental market, where demand for rental accommodation grows ever higher, comes with an obvious increase in risk to Landlords' exposure to these sorts of pitfalls. It is more important than ever that Landlords take all necessary steps to comply with the relevant legislation."*

Contact [Neil Boonin](#) today.

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