Appendix B - Summary of Civil Penalty Policy Key Changes

Old Policy – 2017 (with 2022 updates)	New Policy – 2026
Methodology for determining the level of financial penalty: Starting point established by deciding level of culpability and harm to determine the seriousness of the offence. Adjustment then made taking into account aggravating and mitigating factors.	The new statutory guidance prescribes the starting point for fine levels for the majority of regulatory breaches and offences, before adjustments are made for aggravating and mitigating factors. ACEHO recommendations are applied where there is discretion to set the starting points for fine levels (e.g. for HMO licensing breaches).
Scope of offences for which a civil penalty may be issued: Applies to seven offence categories, primarily under the Housing Act 2004 and Housing and Planning Act 2016.	Applies to 25 offence categories as a result of the Renters' Rights Act 2025 substantially increasing the number of regulatory breaches and offences for which a civil penalty may be issued.
Potential fine levels: Majority of starting points set below £5,000. Most fines likely to be below £10,000. Maximum fine level of £30,000.	Most starting points for fines set above £5,000. Many offence categories likely to result in a fine of over £10,000. Maximum fine level for offences of £40,000.