

THE DATA USE AND ACCESS ACT GUIDE

What the new data rules mean for a letting agent, in plain English

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Why We Made This

Letting agents sit on a mountain of personal data: tenants, guarantors, applicants who never even moved in. When the law around that data changes, most of us hear a headline and not much else. We wrote this so you know what actually changed under the Data Use and Access Act, and what to do about it, without wading through legal briefings.

This is a plain-English guide, not legal advice. For anything specific to your business, check the current ICO guidance or take proper advice. The aim here is to get you oriented and doing the sensible things.

What The Act Is

The Data Use and Access Act 2025 got Royal Assent on 19 June 2025. It doesn't tear up UK data protection law, it updates it. If you already handle tenant data properly under the existing rules, you're most of the way there. The Act tidies some things up, adds a few duties, and gives a bit of relief on the parts that were heaviest. The provisions have been coming into force in stages, so check what applies now.

What Changed That Actually Affects You

Subject access requests got clearer

When a tenant or applicant asks for the personal data you hold on them, that's a subject access request. Two useful changes.

- You only have to make a reasonable and proportionate search, now written into law. You aren't expected to turn over every stone for a needle, just to search sensibly.
- You can stop the clock. If you genuinely need more information to know what they're asking for, you can pause the response time while you wait for their answer, then it picks back up.

The base timescale to respond is still one month, so don't sit on these.

You need a complaints route

There's more emphasis on giving people a clear way to complain to you about how you handle their data, and telling them about it. Make sure your correspondence points them to it.

Write down what you did

If you refuse a request, charge for one, or decide a search was proportionate, record why. You may have to justify it later to the ICO or a court, and a note made at the time beats a memory months on.

A Practical Data Checklist For Agents

Work through these against your own agency.

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| ☐ You know what tenant and applicant data you hold, and where it lives. | ☐ Your subject access process reflects the reasonable and proportionate search standard and the stop-the-clock rule. |
| ☐ You have a clear reason in law for holding each type, tenancy, referencing, right to rent, and so on. | ☐ You respond to a subject access request within a month, and log the date it came in. |
| ☐ Your privacy notice tells people what you hold and why, and it's current. | ☐ You have a complaints route for data, and your emails point to it. |

- ☐ You delete data you no longer have a reason to keep, applicants who didn't proceed included.
- ☐ Data is held securely, not in open inboxes and unlocked drives.
- ☐ Anyone you share data with, referencing firms, contractors, is doing right by it too.
- ☐ You record decisions to refuse, charge for, or scope a request.

The One Habit That Covers Most Of It

Hold less, hold it in one secure place, and know where it is. Most data trouble comes from copies scattered across inboxes, phones and spreadsheets that nobody can account for. Tidy that up and a subject access request stops being a scramble.

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HOW HOUSECOMPLY HELPS YOU

The inspection becomes the finished report at one button, filed where you can find it.

We're not a data protection tool, but the way we work takes a chunk of the risk off you. Property records, photos and evidence live in one organised place, tied to the property, not scattered across phones and inboxes.



Time back.

When you need to find what you hold on a property, it's in one place.



Nothing missed.

Records are captured and filed as you go, not left loose.



Audit-ready as you go.

Everything dated, named and organised.



Grows with the team.

One system of record, not a folder per person.

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THE POINT

Want To See It On One Of Yours?

We'll set your first property up inspection-ready, free. See a sample report: <https://www.housecomply.co.uk/property-compliance-report-sample.html>. No pitch, just a look.

The screenshot shows the HouseComply dashboard for a property named '58 Pen-y-Bryn'. The dashboard is divided into several sections:

- NAVIGATE:** A sidebar menu with links to Home, Properties, Inspections, Audits, and Account.
- Property details:** A table showing property information such as Type (Bungalow), Tenure (Private rented), Bedrooms (---), and more.
- Compliance & evidence:** A section listing various compliance requirements and their status. It includes a table with columns for the requirement, the declared expiry date, and an 'upload cert' button. The requirements listed are Gas Safety, EICR (electrical), EPC, Fire Risk Assessment, and Smoke / CO alarms.
- Documents on file:** A list of documents uploaded to the system, including EPC, Gas Safety, Fire Risk Assessment, and Smoke & CO Alarm Record.
- Inspection history:** A section showing the history of inspections, with a message stating 'No inspections on record yet'.

Set your first property up free →

HouseComply

Built by HouseComply. We help you organise and evidence the property's condition and produce the audit-ready pack. This guide isn't legal advice, check current ICO guidance for your own situation.