

New measures to protect UK high streets from aggressive rent collection and closure

High street shops and other companies under strain will be protected from aggressive rent collection and asked to pay what they can during the coronavirus pandemic.

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- Government to introduce temporary new measures to safeguard the UK high street against aggressive debt recovery actions during the coronavirus pandemic
- Statutory demands and winding up petitions issued to commercial tenants to be temporarily voided and changes to be made to the use of Commercial Rent Arrears Recovery, building on measures already introduced in the Coronavirus Act
- Landlords and investors asked to work collaboratively with high street businesses unable to pay their bills during COVID-19 pandemic

High street shops and other companies under strain will be protected from aggressive rent collection and asked to pay what they can during the coronavirus pandemic.

To stop these unfair practices, the government will temporarily ban the use of statutory demands (made between 1st March 2020 and 30th June 2020) and winding up petitions presented from Monday 27th April, through to 30th June, where a company cannot pay its bills due to coronavirus. This will help ensure these companies do not fall into deeper financial strain. The measures will be included in the Corporate Insolvency and Governance Bill, which the Business Secretary Alok Sharma set out earlier this month.

Government is also laying secondary legislation to provide tenants with more breathing space to pay rent by preventing landlords using Commercial Rent Arrears Recovery (CRAR) unless they are owed 90 days of unpaid rent.

This will further safeguard the high street and millions of jobs by helping to protect them from permanent closure during this time. However, while landlords are urged to give their tenants the breathing space needed, the government calls on tenants to pay rent where they can afford it or what they can in recognition of the strains felt by commercial landlords too.

The temporary emergency measures are designed to acknowledge the pressures landlords are facing while encouraging cooperation in the spirit of fair commercial practice.

They also come on top of a substantial package of business support measures, including a moratorium on evictions for commercial tenants for at least a 3-month period.

These new emergency measures are in addition to the existing government support package for business and workers during the economic emergency:

- the [Coronavirus Job Retention Scheme](#) where small and large employers will be eligible to apply for a government grant of 80% of workers' salaries up to £2,500 a month, backdated to March 1 and available for at least 3 months, with first grants to be paid within weeks
- a deferral of the next quarter of VAT payments for firms, until the end of June - representing a £30 billion injection into the economy
- £330 billion worth of government backed and guaranteed loans to support businesses
- a business rates holiday which is worth over £9.5 billion to business across the UK
- small business grants and grants for retail, hospitality and leisure

N.B.

Under these measures, any winding-up petition claiming that the company is unable to pay its debts must first be reviewed by the court to determine why. The law will not permit petitions to be presented or winding-up orders made, where the company's inability to pay is the result of COVID-19.

The new legislation to protect tenants will be in force until 30th June and can be extended in line with the moratorium on commercial lease forfeiture.

Legislation will also be brought forward to prevent landlords using commercial rent arrears recovery (CRAR) unless 90 days or more of unpaid rent is owed.

The Financial Conduct Authority, the Financial Reporting Council and the Prudential Regulatory Authority have also issued a joint statement encouraging investors and lenders to take into account the issues arising directly from the COVID-19 pandemic in responding to potential breaches of covenants.

Emergency legislation already introduced by government includes a suspension of forfeiture rights, which prevents all commercial tenants being removed from their properties until 30th June. The government has also announced [new insolvency measures](#) which will provide further support to businesses impacted by the COVID-19 pandemic.

More information is available on the [government's support and guidance for businesses affected by coronavirus](#).