

How to rent

☑ The checklist for renting in England

This information is frequently updated. Search on GOV.UK for How to rent

The online version contains links you can click on to get more information. If you do not have internet access, ask your local library to help.

February 2016

Department for Communities and Local Government

Assured shorthold tenancies

When you enter an assured shorthold tenancy – the most common type – you are entering into a contractual arrangement.

This gives you some important rights but also some responsibilities.

This guide will help you to understand what questions to ask, what your rights are, and what responsibilities you have. This will help you create a positive relationship with your landlord, but we also tell you how to get help if things go wrong.

When you rent a home, people sometimes expect you to make a quick decision, or to sign documents before you've had time to think about them.

Your landlord **must** provide you with a copy of this booklet, so **use the checklist and keep it safe** to protect yourself from problems at every stage.

Who is this guide for?

This guide is for people who are about to rent a house or flat.

Most of it will equally apply if you are in a shared property but in certain cases your rights and responsibilities will vary.

The guide does not cover lodgers or people with licences – nor tenants where the property is not their main or only home.



Links

This guide is best viewed online as it contains hyperlinks.

If you are reading this on a computer or tablet, you can click on the links to go to other websites with more detailed information. They are coloured blue and underlined like this.

On Android or Windows devices, links work better if you download Acrobat Reader from get.adobe.com/uk/reader.

Before you start

- ☐ **How long do you want the tenancy for?** You can ask for a tenancy to be any time between six months and seven years long.
- ☐ **What can you afford?** Think about how much rent you can afford to pay: 35% of your take-home pay is the most that many people can afford, but this depends on what your other outgoings are (for example, whether you have children).
- ☐ **If you are on housing benefit or Universal Credit,** there is no reason that it should affect your ability to pay rent. But check with this online calculator to see if you can afford to live in the area you want.
- ☐ **Decide which area** you would like to live in and how you are going to look for a rented home. The larger the area where you are prepared to look, the better the chance of finding the right home for you.
- ☐ **Have your documents ready.** Landlords and agents will want to confirm your identity, immigration status, credit history and possibly employment status.
- ☐ **Do you have the right to rent property in the UK?** Landlords must check that all people aged over 18 living in their property as their only or main home have the right to rent. They will need to make copies of your documents and return your original documents to you.
- ☐ **Will you need a rent guarantee?** Some landlords might ask someone to guarantee your rent. If you don't have a guarantor, ask Shelter for help.

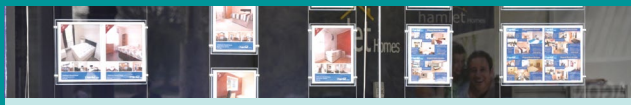


Direct from the landlord

- ☐ Look for landlords who belong to an accreditation scheme. Your local authority can advise you about accreditation schemes operating in your area. The National Landlords Association (NLA) and the Residential Landlords Association (RLA) run national schemes. If you're in London, there's the London Rental Standard.

Watch out for scams!

Be clear who you are handing money over to, and why.



Through a letting agent

- ☐ Find out what fees (and costs) you will be charged and when you need to pay them. By law, a breakdown of all fees should be clearly visible to you in the agent's office and on their website.
- ☐ What independent complaints scheme is the agent a member of? Do they offer client money protection? By law, this information should also be clearly visible to you.
- ☐ Are they accredited through a professional body like ARLA, NALS, RICS or UKALA? This means they have the right protection for their clients' money, and safeguards you if they go bust or misuse your funds (such as rent payments and your deposit). Look for the SAFEagent sign too.

SAFE AGENT

☑ Looking for your new home

Questions to ask

- ☐ **Deposit protection.** If the landlord asks for a deposit, check that it will be protected in a government approved scheme. Some schemes hold the money, and some insure it.

  You may be able to access a bond or guarantee scheme that will help you put the deposit together.

- ☐ **How long is the tenancy for?** There is usually a fixed period of 6 or 12 months. If you want more security, you can ask for a longer fixed period of up to seven years. Many landlords are happy to offer longer tenancies.

- ☐ **Children, smoking and pets.** Check if there any rules about them, as well as for other things such as keeping a bike, dealing with refuse and recycling.

- ☐ **Check who is responsible for bills** such as electricity, gas, water and council tax. You or the landlord? Usually the tenant pays for these.

- ☐ **Fixtures and fittings.** Check you are happy with them, as it is unlikely that you will be able to get them changed once you have moved in.

- ☐ **Smoke alarms – and carbon monoxide detectors** if you have solid fuel appliances. Check these are provided. If not, your landlord must install them. They could save your life.

- ☐ **If the building becomes unfit to live in.** Check that the tenancy agreement excuses you from paying rent should the building become unfit to live in because of a fire or flood.

- ☐ **Check who your landlord is.**

  They could be subletting – renting you a property that they are renting from someone else. If they are subletting, check that the property owner has consented.

  Find out who you should speak to if any repairs need doing.

- ☐ **Ask whether the property is mortgaged.**

  Landlords should let you know about this upfront, because you may be asked to leave the property if the landlord does not pay their mortgage payments.

Houses in Multiple Occupation (HMOs)

HMOs are usually properties in which **unrelated people share facilities** such as the kitchen or bathroom.

Large HMOs (more than 2 floors, and more than 4 people) need to be licensed. Check your landlord has done that. In large HMOs, landlords **must by law** give tenants a statement of the terms on which they live in the property.



☑ When you've found a place

Check the paperwork

- ☐ **Make sure you have a written tenancy agreement and read it** carefully to understand your rights and responsibilities. The landlord or agent usually provides one but you can request to use a different version. The government has published a model tenancy agreement that can be used.

  If you have any concerns about the agreement, seek advice before you sign.

- ☐ **Agree an inventory (or check-in report)** with your landlord and, as an extra safeguard, make sure that you **take photos**. This will make things easier if there is a dispute about the deposit at the end of the tenancy. If you are happy with the inventory, sign it and keep a copy.

- ☐ **Remember to take meter readings** when you move in. This will help make sure you don't pay for the previous tenant's bills.

- ☐ **Contact details.** Make sure that you have the correct contact details for the landlord or agent, including a telephone number you can use in case of an emergency.

- ☐ **Code of practice**. Check that whoever is managing the property is following a code of practice.

The landlord must provide you with:

- ☐ **A copy of this guide** *How to rent: The checklist for renting in England* either via a link or as a printed copy.

- ☐ **A gas safety certificate.** The landlord must provide one each year, if there is a gas installation.

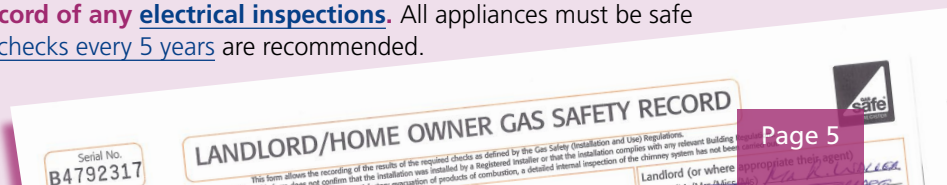
- ☐ **Deposit paperwork.** If you have provided a deposit, the landlord must protect it in a government approved scheme. Make sure you get the official information from the scheme, and that you understand how to get your money back at the end of the tenancy. Keep this information safe as you will need it later.

- ☐ **The Energy Performance Certificate.** This will affect your energy bills and the landlord must provide one (except for Houses in Multiple Occupation).

If your landlord doesn't provide these, they can't evict you until they do.

The landlord should provide you with:

- ☐ **A record of any electrical inspections.** All appliances must be safe and checks every 5 years are recommended.


LANDLORD/HOME OWNER GAS SAFETY RECORD

Serial No. B4792317

Living in your rented home

The tenant must...

- ☐ **Pay the rent on time.** If you don't, you could lose your home because you have broken your tenancy agreement. If you have problems, GOV.UK has links to further advice.
- ☐ **Look after the property.** But get your landlord's permission before attempting repairs or decorating. It's worth getting contents insurance to cover your possessions too, because the landlord's insurance won't cover your things.
- ☐ **Be considerate to the neighbours.** You could be evicted for anti-social behaviour if you aren't.
- ☐ **Not take in a lodger** or sub-let without checking whether you need permission from your landlord.

And also you, the tenant, should

- ☐ **Make sure you know how** to operate the boiler and other appliances and know where the stop cock, fuse box and any meters are located.
- ☐ **Regularly test** your smoke alarms and carbon monoxide detector – at least once a month.
- ☐ **Report any need for repairs** to your landlord. There will be a risk to your deposit if a minor repair turns into a major problem because you did not report it.

The landlord must...

- ☐ **Maintain the structure** and exterior of the property.
- ☐ **Fit smoke alarms** on every floor and **carbon monoxide alarms** in rooms using solid fuels – such as coal and wood – and make sure they are working at the start of your tenancy. If they are not there, ask your landlord to install them.



- ☐ **Deal with any problems** with the water, electricity and gas supply.
- ☐ **Maintain** any appliances and furniture they have supplied.
- ☐ **Carry out most repairs.** If something is not working, report it to the landlord (or their agent) as soon as you can.
- ☐ **Arrange an annual gas safety check** by a Gas Safe engineer (where there are any gas appliances).
- ☐ **Give at least 24 hours notice of visits** for things like repairs – the landlord cannot walk in whenever they like.
- ☐ **Get a licence for the property**, if it is a licensable property.

And also the landlord should

- ☐ **Insure the building** to cover the costs of any damage from flood or fire.

☑ At the end of the fixed period

If you want to stay

Should you wish to extend your tenancy after any initial fixed period, there are a number of important issues to consider. Check Shelter's website for advice.

- ☐ **Do you want to sign up to a new fixed term?** There may be costs for this, particularly if you rent through an agent. If not, you will be on a 'rolling periodic tenancy'. This means you carry on as before but with no fixed term – you can leave at any time by giving one month's notice. Or your landlord can end the contract at two months' notice.

- ☐ **Your landlord might want to increase your rent.** Your landlord can increase your rent by agreement, or as set out in your tenancy agreement, or by following a procedure set out in law.

If you or the landlord want to end the tenancy

There are things that both landlords and tenants must do at the end of the tenancy:

- ☐ **Giving notice.** It is a legal requirement for landlords to give you proper notice if they want you to leave. Normally, the landlord must allow any fixed period of the tenancy to have expired, and they must have given at least two months' notice.

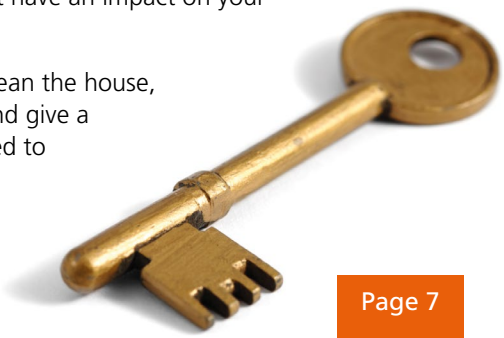
  Your tenancy agreement should say how much notice you must give the landlord if you want to leave the property – one month's notice is typical.

- ☐ **Return of deposit.** Try to be present when the property is inspected to check whether any of the tenancy deposit should be deducted to cover damage or cleaning costs (a 'check-out inventory'). If you do not agree with proposed deductions contact the relevant deposit protection scheme.

- ☐ **Rent.** Make sure that your rent payments are up to date. Do not keep back rent because you think that it will be taken out of the deposit.

- ☐ **Bills.** Do not leave bills unpaid. This might have an impact on your references and credit rating.

- ☐ **Clear up.** Remove all your possessions, clean the house, take meter readings, return all the keys and give a forwarding address. The landlord is entitled to dispose of possessions left in the property after, typically, 14 days.



If things go wrong

There are often legal protections in place for the most common problems that you may experience during the tenancy – the following links will tell you what they are or where to look for help:

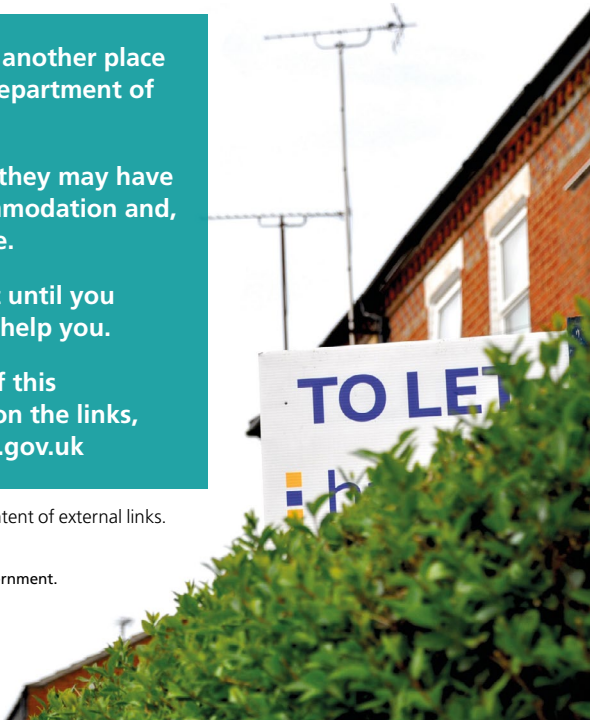
- **If you are having financial problems,** or are falling into rent arrears, speak to your landlord as they may be helpful, and are likely to be more sympathetic if you talk to them about any difficulties early on. Should you need further help contact Citizens Advice or Shelter as soon as possible.
- **If the property is in an unsafe condition** and your landlord won't repair it – contact your local authority. They have powers to make landlords deal with serious health and safety hazards.
- **If you have a serious complaint** that has been checked by your local authority, your landlord cannot evict you for six months, and must repair the fault.
- **Unannounced visits and harassment** from your landlord – contact your local authority, or if more urgent dial 999.
- **If you are being forced out illegally, contact the police.**
  If your landlord wants you to leave the property, they must notify you in writing, with the right amount of notice – you can only be legally removed from the property with a court order.

If you are concerned about finding another place to live, then contact the Housing Department of your local authority.

Depending on your circumstances, they may have a legal duty to help you find accommodation and, even if not, they can provide advice.

The local authority should not wait until you are evicted before taking action to help you.

If you are reading a print version of this guide and need more information on the links, email PRSReview@communities.gsi.gov.uk



Disclaimer: The Department is not responsible for the content of external links. They are the responsibility of those organisations.

Published by the Department for Communities and Local Government.
© Crown copyright 2016. Product code 978-1-4098-4213-2.