



**PROCTORS**

A guide to letting

# Contents



1  
Hello



2-3  
Hints and tips for landlords



4-7  
The legal bits



8-9  
Landlord's checklist



10-11  
Proctors services

"Finding the perfect tenant, managing your property and understanding the legal bits; at Proctors our aim is to make renting your property effortless."

If you have any queries about your legal obligations as a landlord, or for more tips on letting your property, please do give us a call, come in and talk to us at your Proctors branch or contact us via social media.



Find out more at [www.proctors.london](http://www.proctors.london)





## Hello

Whether you are an experienced landlord or letting is a new venture for you, this guide includes all the information you need to make renting your property effortless and profitable.

There are many aspects to renting a property, and our aim is to make your life easier by helping you through every stage of the lettings process - the regulations, tenant referencing, obtaining permissions to let, tenancy agreements and more.

At Proctors we're not just local estate agents, we're local people too. With a network of branches covering the London Borough of Bromley as well as Shirley in Croydon, Anerley and Crystal Palace, we'll be your personal guides to letting in South East London.

It is important you know your property is in safe hands; we're members of the Property Ombudsman scheme, so you can be sure that our advice and services meet with their codes of conduct.

Read on for comprehensive advice on finding the perfect tenant, managing your property and everything else you need to know about being a landlord.



## Hints and tips for landlords

Whether you are beginning as a landlord or expanding your role, here are five tips to make sure you find the right tenant for your property.

### **1. Target the right type of tenant for your property**

Consider and take advice about the likely tenant. This way you can tailor the look and feel of your property, and set the rent to suit your target market. Your letting agent can then spread the word about your property online, to its database of tenants, and across its branches.

If your property offers lots of space and is close to reputable schools or nurseries it is likely to appeal to a family, possibly with young children, and they will enjoy the freedom to make the house a home. What about a young professional? Likely to have a little bit more money to spend, they'll be after a modern property that's well placed for transport links, bars, cafés and entertainment.

### **2. Keep the décor simple**

Regardless of the tenant profile that is best suited to your property, keep the décor simple – don't show too much of your personal taste. So when potential tenants look around for the first time, they can imagine themselves living there, and how the rooms will look filled with their furniture and personal things.

Bedrooms and living areas are particularly important to leave as blank canvases, because this is where tenants will really get creative and comfy when they make themselves at home. You may like bold patterns, but your dream tenant might not - you don't want to put them off.

*Don't Forget: Tell your agent if you wish to allow for pets, children or smokers, so they attract the right kind of tenant for your property.*

### 3. Kit out the kitchen and bathroom

It's worth spending a bit of money on the kitchen and bathroom to attract a higher calibre of potential tenant.

Remember, while people look to imprint their own personality in living areas, their primary interest when it comes to kitchens and bathrooms is that the room is fully functional and clean. If the property is easy to maintain it will avoid problems when their tenancy ends.

### 4. Have a deep clean

Hire a professional cleaner to blitz your property before you begin showing it to potential tenants. Not only will this show your property in its best light, if tenants move in to a spotless place, they'll be more likely to keep it to a high standard. It also gives tenants a clear view of the standard of cleanliness that is expected at the end of their tenancy.

### 5. Decide how involved you want to be as a landlord

Being a landlord can be a full time job – decide how hands-on you want to be, and choose the right service package for you. If you don't have the time to arrange rent payments and maintenance, for example, use a full property management service, so you don't have to do it.

Regardless of your level of involvement, it's nice to occasionally go out of your way to be a friendly landlord. For example, leave a welcome note for when your tenant moves in, or send a Christmas card, maybe even a bottle of wine, during the festive season. It's in your best interest to keep your tenant happy – after all, they'll be looking after your precious asset. Plus, it'll make them more likely to renew their tenancy agreement!





## The legal bits

All landlords in the UK must comply with a number of regulations. Here is a rundown of some of the important details that as a landlord, you need to know.

### Gas safety

The Gas Safety (Installation and Use) Regulations 1998 state that it is the responsibility of the landlord to ensure

all gas appliances, flues and pipework are safely maintained. They must be checked annually by a Gas Safe registered engineer, who will provide a Gas Safety record, valid for

12 months. When this expires a new record must be provided to your tenants within 28 days. You should also retain previous records for two years, so they are available for inspection if required.

**REMEMBER:** Failure to comply with legal safety regulations can result in a fine, or even imprisonment.

### Electrical safety

The Electrical Equipment (Safety) Regulations 1994 apply to all electrical equipment with 50 – 1000 volts of alternating current, or 75 – 1500 volts of direct current. It's your responsibility to ensure all electrical items are safe and unlikely to cause danger. You should get them tested by a NIC qualified electrician, or similar. This is mandatory for Houses with Multiple Occupation (HMO), and recommended for single tenants. These tests should take place both annually and when new tenants rent your property. You should also leave instructions for all electrical equipment in the property.

**TOP TIP:** Make copies of instruction books to leave for tenants at the property – keep the originals.



## Fire safety

If the property you are letting is furnished, you must ensure that the furnishings provided comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988, which were amended in 1993. This includes all upholstered furniture manufactured after 1950, such as soft furnishings, foam filled items and loose and stretch covers. Most furniture purchased from a reputable supplier after 1 March 1990 should comply, but it's always worth double checking. Compliant furniture will bear the appropriate labels – see Figure 1. If the label has been removed, you must show proof of purchase to be fully compliant.

Items covered by the regulations are described as furniture intended for use in a private dwelling, including:

- Beds, including headboards and mattresses
- Sofa beds, futons and fold-up guest beds
- Nursery and children's furniture
- Cushions, seat pads and pillows
- Garden furniture that is suitable for indoor use

Items exempt from regulations include:

- Furniture manufactured before 1950
- Sleeping bags
- Bed linen, duvets, pillowcases and loose mattress covers
- Curtains and carpets

**TOP TIP:** Carbon monoxide alarms are not a legal requirement, but it's a good idea to install one next to all gas appliances; make sure to check and change batteries regularly.



Fig 1 - Furniture compliant with safety regulations will have the appropriate labels

## Energy Performance Certificate

As of 1 October 2008, landlords must provide all new tenants with an Energy Performance Certificate (EPC) for rented properties; the EPC gives tenants information on the energy efficiency and carbon emissions of the building.

### TOP RECOMMENDATION:

*Provide at least one smoke alarm per floor of your property. If battery operated, ensure you regularly check and replace the batteries. Also, install fire blankets and extinguishers in the kitchen for extra precautions against fire damage.*

## Tenancy Deposit Protection Scheme

As of April 2004, there are strict statutory regulations governing tenancy deposits; only registered persons can hold a tenancy deposit. Your letting agent must protect deposits with a government Tenancy Deposit Protection Scheme, so if there are any disputes between you, as landlord, and your tenants, the matter will be independently adjudicated by the Dispute Service. To find out more, visit: <https://www.gov.uk/deposit-protection-schemes-and-landlords/overview>

If you need any more information, the Proctors team is well versed in the legal requirements and obligations of landlords, and we'll help you through anything you don't understand, so that you can be sure you're fully compliant.

# The legal bits: 2016 updates



Letting a property is a great opportunity, but also involves a great deal of responsibility. Over the past year we have seen lots of changes and more new regulations than ever before, something which could prove a minefield for you, the landlord. Are you aware of the changes?

*Here is a  
rundown of  
your duties  
to date*

## **Right to Rent**

February 1 2016 saw the introduction of a government scheme, 'Right To Rent', which gives all landlords a legal duty to check that every tenant has the right to live in the UK before they let their property to them. As a landlord, you will require copies of documents which prove your tenants nationality, and that they have the right to rent a property. Letting your property without this proof can result in a penalty of up to £3,000 per tenant and imprisonment. You should also be aware that if the tenant is from outside the EEA they will need to provide evidence of their right to stay in the UK. Re-checks will need to be made once that time period has ceased or after 12 months, whichever comes first. Proctors lettings team will handle all this for you. However, re-checks are only carried out for managed properties. Documents will be requested on your behalf at the start of every tenancy and re-checks will be made of your tenant to meet legal obligations.

## **Section 21 Notice**

Since the 1 October 2015 it has become more difficult for landlords to serve a Section 21 Notice to regain possession of their property. As a landlord, you must provide tenants with an EPC and Gas Safety Certificates, and written complaints submitted by tenants about the condition of the property must be responded to within 14 days. For each new tenant (including renewals), they should also be given a guide called How to rent: the checklist for renting in England. You will also need to comply with the regulation relating to smoke and carbon monoxide alarms (see next section). Failure to comply with the above may invalidate a s21 notice and limit your chances of reclaiming your property. Proctors lettings and management team can help you avoid this if you do decide to sell or move into your property.

## **Smoke and Carbon Monoxide Alarms**

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015



"Rest easy  
and let us  
manage your  
property  
for you."

also came into effect on 1 October 2015. What does this mean for you? The law declares that landlords must provide smoke alarms in all rental properties across England on each storey where there is a room used as living accommodation. Bathrooms, lavatories, hallways and landings are all considered rooms used as living accommodation. Alarms should also be checked and in working order the day a new tenancy begins. In addition, a carbon monoxide alarm must also be installed in each room used as a living accommodation that contains a solid fuel-burning appliance.

At Proctors we will check the property conforms at the rental outset and for managed properties on renewal. Our agreement ensures that tenants are undertaking regular checks.

### Legionnaires' Disease

This may not be high on your list but Legionnaires' disease should not be ignored. It is a bacterial pneumonia that can be contracted by inhaling water contaminated by Legionella bacteria. Found in most water systems, it becomes a risk when bacteria reach dangerous levels. Risk is highest where water flow is left unused for more than seven

days or water is stagnant and/or is at temperatures between 20 and 45 degrees Celsius. As a landlord, you are responsible for assessing, monitoring and controlling the risk of exposure to Legionella.

### Internal Window Blinds Standards

Based on European Standards addressing child safety, the British Standards Institution introduced regulations that apply to internal blinds, corded window coverings and safety devices and are relevant to all businesses, although not the consumer. All new purchased blinds or curtain tracks should have a label on safety and compliance and a safety device to prevent strangulation. Checks should be made with existing properties that have blinds fitted. Should an accident occur, the Trading Standards could take action for failure by a landlord to take the necessary precautions.

Were you aware of the changes that have been made? At Proctors we can take care of this for you and handle the legalities to take the weight off your shoulders. We will also keep you informed should new laws come into play in the future. Below is a breakdown of what each Proctors service package includes so you can pick the one that's right for you.

Further  
regulations  
you should be  
aware of:

Proctors services at a glance					
Letting ★		Letting & Rent Collection ▲		Letting & Management ■	
Service features		Service features		Service features	
Rental Valuation of Property	★ ▲ ■	Arrange EPC	★* ▲* ■*	Complaints Handling	■
Comprehensive Marketing	★ ▲ ■	Electrical and Gas Safety Checks	★* ▲* ■*	Right to Rent - Initial Checks	★ ▲ ■
Accompanied Viewings	★ ▲ ■	Cleaning	★* ▲* ■*	Right to Rent Re-Checks	■
Finding a Tenant	★ ▲ ■	Collection of Rent	▲ ■	Check In and Out	★* ▲* ■*
Obtaining References	★ ▲ ■	Keyholding Services	■	Advice on Utilities/Local Authority	■*
Advice on Landlord's Obligations	★ ▲ ■	Payment for Outgoings	■	Landlords Gas Safety Inspection	■*
Tenancy Agreement	★* ▲* ■*	Arrange for Repairs & Maintenance	■	Smoke & Carbon Monoxide Alarm Checks	■*
Deposit Protection	★* ▲* ■*	Property Inspection - Mid-Tenancy	■	Section 21 Notice	★* ▲* ■*
Property Inventory		Management of Void Periods		Legal Updates	

\*Additional charges apply



## Landlord's checklist

The duties of a landlord can be daunting, but at Proctors our aim is to remove all the stress and make the letting process as simple as possible. We've compiled a checklist to make sure you've got everything covered – and if you haven't, you can be sure your Proctors agent can help.

*Not sure which service is right for you? Find out more on pages 8 – 9 of this guide.*

### Basics

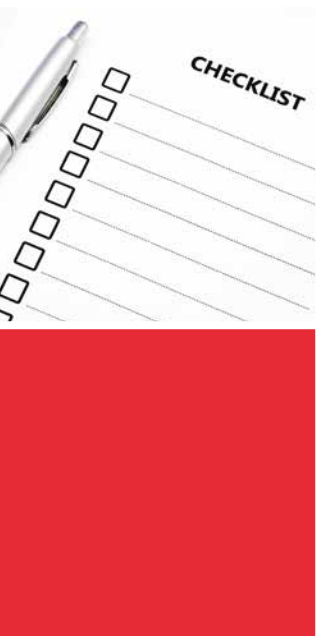
- ☐ Consider your target tenant
- ☐ Inform your mortgage lender
- ☐ Check insurance covers property and contents if furnished
- ☐ Consult an accountant or financial advisor

### Decide on the service package:

- ☐ Letting
- ☐ Letting & Rent Collection
- ☐ Letting & Management

### Safety recommendations

- ☐ Install a smoke alarm on each floor of property
- ☐ Install carbon monoxide alarms near gas appliances
- ☐ Install a burglar alarm at property



*"From picking a tenant and Lettings service package, to sorting out the legal requirements, Proctors can help you every step of the way."*

### Legal

- ☐ Have gas and electrical equipment serviced by a qualified tradesman
- ☐ Get a Landlord's Gas Safety Certificate
- ☐ Arrange an EPC for the property
- ☐ Check furniture complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988
- ☐ Leave tenants copies of instruction booklets for appliances

### Property

- ☐ Leave garden in good state, with tools to maintain it
- ☐ Clean property (rooms, curtains, cupboards and windows)
- ☐ Remove food and clutter from property
- ☐ Arrange for all mail to be forwarded
- ☐ Have keys cut for new tenants



## Proctors service packages

At Proctors, we offer three different service packages, with additional extras available. So whether you simply want help looking for the right tenant, or want all of the day-to-day management off your hands, we can help. We'll guide you through all the details, so renting your property is plain sailing. Below is a breakdown of what each service package includes, so you can pick the one that's right for you.

### Letting

- A valuation of your property is carried out and advice given on an achievable rent amount
- Your property will be marketed to the widest possible area: across our branches in the London Borough of Bromley, Anerley and Shirley; to our database of high quality prospective tenants; on the Proctors website; and on national property portals, including RightMove and On the Market
- We obtain full references for all tenants
- An Assured Shorthold Tenancy Agreement will be drawn up for both you and your new tenant to sign
- You will be given advice on your obligations as a Landlord, including the Energy Performance Certificate (EPC), checking gas and electrical supplies and fire safety of furnishings
- A deposit usually equivalent to six weeks rent will be taken from your new tenant and will be protected in accordance with legislation
- The first month's rent will be collected from your new tenant in advance, with the deposit, and we'll provide a reconciliation statement. It is then the landlord's responsibility to collect rent thereafter



*"Proctors offer different service packages, so if you're just looking to find the perfect tenant, or you want full property management, we can help."*

### Letting & Rent Collection

Includes **all** Letting services, **plus**:

- We will set up a monthly standing order to our account for your tenant to pay rent on a date specified in your tenancy agreement
- We'll pursue late payments and report any arrears to you
- You'll receive a monthly rental statement and funds will be transferred directly into your chosen account

### Letting & Management

Includes **all** Letting and Letting & Rent Collection services, **plus we'll arrange**:

- All interactions with tenants, resulting in no day-to-day management of the property for you
- Full monthly statements detailing rent payments, as well as deductions for day-to-day repairs and replacements
- A 'forward chase' service, ensuring all annual checks and leaving notices for tenants are arranged in advance
- A mid-term property inspection and key holding service





# PROCTORS

At Proctors we're not just local estate agents, we're local people too. With a network of branches covering the London Borough of Bromley as well as Shirley in Croydon, Anerley and Crystal Palace, we'll be your personal guides to buying, selling and letting in South East London.

[www.proctors.london](http://www.proctors.london)

Offices: Anerley | Beckenham | Bromley | Orpington | Park Langley  
Petts Wood | Shirley | West Wickham/Bromley South