

These tips are for landlords who have let or who intend to let a property on an **assured shorthold tenancy**.

Your tenant is likely to have an assured shorthold tenancy if:

- you are a private landlord
- the tenancy began on or after 28 February 1997
- the house or flat is let as separate accommodation and is your tenant's main home.

If you are not sure what sort of tenancy your tenant has, see the sources of further information at the bottom of this leaflet.

DO:

- **Look for the SAFE kitemark** if you are using an agent – all SAFE agents have client money protection and your money will be protected if the agent goes out of business.
- **Ask whether the agent is a member of a professional body** such as the Royal Institution of Chartered Surveyors, the Association of Residential Letting Agents, the National Approved Lettings Scheme or the Property Ombudsman – agents who belong to such organisations have to sign up to certain standards of practice and you will have access to an independent complaints procedure should things go wrong.
- **Have a written agreement with your agent** so it is clear what responsibilities the agent is carrying out on your behalf.
- **Inform your mortgage company and insurer** if you intend to rent to someone else a property you previously lived in as owner. There may be restrictions on your mortgage and you may need to amend your insurance cover.

- **Ask prospective tenants for a reference** from a former landlord if possible to reduce your risks.
- **Use a written tenancy agreement** as this will help ensure your tenant knows what they are responsible for, such as who pays utility bills, how long the tenancy is for and arrangements for paying the rent.
- **Agree an inventory with your tenant** at the start of the tenancy. This will make things easier if there is a dispute over the return of the deposit at the end of the tenancy.
- **Provide contact details** to your tenant so that they can get in touch if there are any problems.
- **Protect your tenant's deposit** in one of the three government-authorised Tenancy Deposit Protection schemes. This is a legal requirement if you use an assured shorthold tenancy agreement.
- **Provide a gas safety certificate** if there are gas appliances in the property. It is a legal requirement to have an annual gas safety check carried out by a Gas Safe registered engineer and to provide your tenant with the certificate within 28 days of each annual check. For more information see the Health and Safety Executive's (HSE) frequently asked questions page:

www.hse.gov.uk/gas/domestic/faqlandlord.htm

or contact its Gas Safety Advice Line on **0800 300 363**

- **Provide an Energy Performance Certificate (EPC)** – this shows the energy performance of the property and must be provided whenever the property is let to a new tenant.
- **Consider having the electrical installations and equipment checked.** There is no legal requirement to have an electrical safety certificate but you do have a duty to keep electrical installations in proper working order and to ensure that any electrical equipment supplied with the property is safe.
- **Keep the property in good repair** - local authorities have powers to take action against you if the property contains serious health and safety hazards. Health and safety guidance for landlords can be found at:

www.communities.gov.uk/publications/housing/housinghealth

- **Make sure your tenants are safe** by installing and maintaining a smoke detector and carbon monoxide detector (this is not a legal requirement but is regarded as best practice).
- **Give your tenant proper written notice if you want possession** of your property (see the Department's factsheet on the possession process).

DON'T:

- **Leave problems to fester** – speak to your tenant at an early stage and if relationships break down contact your local authority who may be able to mediate for you.
- **Don't leave large sums of rent with your agent for long periods** – make sure rent is paid to you on a regular basis and that this is included in your agreement with the agent.
- **Neglect the repair or maintenance of the property** - local authorities have powers to take action against you if the property contains serious health and safety hazards.
- **Try and remove your tenant by changing the lock or throwing out their possessions.** This is illegal and you could be prosecuted (see the Department's factsheet on the possession process).

Further information

Directgov - the Government's website provides further information on private renting at:

www.direct.gov.uk/en/HomeAndCommunity/PrivateRenting/index.htm

Business Link – the Government's website for businesses provides further information on private renting under the residential property section at:

www.businesslink.gov.uk/bdotg/action/layer?r.l1=1086951342&r.s=tl&topicId=1084073743

Landlord Associations such as the National Landlords Association or the Residential Landlords' Association provide support and advice to their members on a whole range of issues.

'Assured and Assured Shorthold Tenancies – A guide for landlords' - this booklet is available on our website at:

www.communities.gov.uk/publications/housing/assuredassuredlandlords

© Crown copyright, 2011, August 2011

ISBN: 978-1-4098- 3101- 3