

Key Principles for Lettings Professionals

This document sets out key principles for lettings professionals to help them understand, and comply with, consumer and business protection laws.

We have separately produced comprehensive guidance to help lettings professionals. You can find it on www.gov.uk/cma

1 When advertising to landlords, you should

Advertise and market your services clearly and accurately. Do not mislead. Do not omit material information. Set out clearly the fees that you will charge, and exactly what service(s) you are offering.

Provide full information about all your fees, including variable or optional ones. Give information accurately, setting it out in a clear tariff of charges the landlord can easily access. Quote fees inclusive of VAT.

Use clear contract terms that don't contain hidden surprises. Avoid unfair terms. Set out unusual or onerous terms prominently.

Comply with all your legal duties towards landlord clients.

2 When advertising and providing information to potential tenants, you should

Use effective processes to gather and check property information.

Use clear and accurate advertising. Provide all the information potential tenants need to make informed decisions about renting.

Give enough information about costs and charges to potential tenants so they can compare the full cost of renting one property against another. Present all information about costs, charges and deposits together with information about the cost of the rent.

Clearly flag up and make accessible (eg, one click away on a website) any information that cannot be included in the advert (eg, if space is restricted).

continued on page 2

3 When prospective tenants view properties, discuss and/or sign tenancy agreements, you should

Make sure they understand your role.

Treat them fairly.

Make sure you give them an accurate impressions of the property's characteristics and allow them to view the property.

Give them clear information about pre-tenancy checks, including what these cover and how much they will cost.

Provide prospective tenants with clear information about guarantor requirements and the roles and responsibilities of guarantors.

Give them clear information about pre-tenancy payments or holding deposits, what these cover and when they will/will not be refunded.

Make sure tenancy agreement terms used are fair. Give the prospective tenant enough time to familiarise themselves with the agreement.

4 When the tenant moves in, you should

Make sure the property is available on the date agreed. Keep the tenant informed about any delays.

Make sure the property matches previous statements about its condition (including work agreed to be done) and contents (furniture, fixtures and fittings).

Make sure the tenant has all the information legally required about the condition of the property and other material information (eg, details of utility suppliers).

Protect any security deposit and give the tenant information legally required about it (eg, details of the scheme it will be kept in).

5 When managing the property, you should

Carry out any services you provide under the tenancy agreement (whether as the landlord or as an agent acting on the landlord's behalf) with reasonable care and skill and in a timely way. This includes services relating to the property.

Deal fairly with tenants, do not enforce unfair terms and give tenants clear information about who is responsible for what during the tenancy.

As an agent, carry out appropriately all contractual duties you owe the landlord, take proper care of their interests and keep them informed.

6 On renewal/termination of the tenancy, you should

Ensure the tenant has received clear and accurate information about how they should give notice, and alert them if you realise they get it wrong.

Only impose termination or renewal fees that are fair and were explained clearly and accurately in the pre-contract information given to the tenant.

Explain clearly to the tenant about any intended deductions from the security deposit (including why and how much). All deductions should be justified.