



Factsheet 1

Letting your house or flat—top tips if you are thinking of letting your property

Being a landlord is a huge responsibility and getting expert advice will help you ensure you are meeting all legal rules and laws.

The following information provides some useful tips on becoming a landlord. It provides a snapshot of some of the things you need to consider when letting a property, but it doesn't cover everything. Belonging to a professional landlords group or association can help you learn what legal steps need to be taken and advise you if you encounter any issues during the tenancy.

Who will let the property ?

There are various options for letting your property:

Self managing landlords

This option is for landlords who are confident that they know their responsibilities and best practice in managing properties. This option saves you the cost of an agent, but can require a considerable investment in time. If problems arise, you may require advice from a professional such as a lawyer or accountant, which may come at a cost. Landlord associations are a good source of advice and assistance and can provide most of the information that a self-managing landlord would require.

Renting through a lettings/management agent

If you want to let your property but don't have the knowledge or time to do it yourself and would like someone else to deal with the details of letting and managing the property, then you will want a reliable agent.

Organisations such as the [National Residential Landlords Association](#), [Safeagent](#) and the [UK Association of Letting Agents](#) will help you choose an agent you can depend on.

All letting/management agents in England must belong to a national approved letting agent redress scheme in case things go wrong and a dispute arises. You can check which scheme they belong to by visiting either the Property Ombudsman or Property Redress Scheme websites and using the member search tool.

Tenancy Agreement

Before you agree a tenancy you will need to confirm the tenant's immigration status by law and

ensure that references and credit history are acceptable.

Although it is not a legal requirement to have a written tenancy agreement, having a signed tenancy agreement will make it easier to deal with any disputes, should they arise. Assured shorthold tenancies are the most common type. You can obtain a ready to use tenancy agreement from most stationery suppliers.

You **must** provide your tenant with a copy of the "How to Rent: checklist for renting in England", a gas safety certificate if there is a gas appliance, tenancy deposit paperwork, and the Energy Performance Certificate.

Check your mortgage agreement

It is essential that you tell your mortgage company if you decide to let your property so that you do not breach any conditions.

Deposits

Any deposits you take from a tenant must be protected through one of the three government approved tenancy deposit schemes. Amounts must comply with the Tenant Fees Act which also prohibit certain additional charges.

My deposits

www.mydeposits.co.uk

Deposit protection service

www.depositprotection.com

Tenancy Deposit Scheme

www.tenancydepositscheme.com

Energy Performance Certificate (EPC)

You are legally required to get an energy performance certificate (EPC) and after 1st April 2018, any new tenancy cannot be let if an EPC is below band E. A copy of the certificate should be given to the tenants when they take up their tenancy. EPCs usually cost about £100, but can be cheaper. Exemptions do apply but must be recorded in the [national PRS exemptions register](#).





Property Condition and Safety

The property must be in good repair, well-maintained, and capable of being effectively heated. It is essential that the property is fit for human habitation at the start and throughout the tenancy. You can find more information at www.gov.uk.

If the property is substandard then tenants may take civil action and the Council would investigate a potential criminal offence if hazards are not dealt with promptly. Landlords can also be fined for certain offences and even banned from letting property in serious circumstances where legal requirements are breached.

Smoke and Carbon Monoxide Alarms

Regulations require smoke alarms to be installed in rented residential accommodation and carbon monoxide alarms in rooms with a solid fuel appliance.

You must ensure that there is a safe means of escape from the property in the event of a fire and that a suitable smoke detectors or a fire alarm system has been fitted which is in line with current BS 5839 for the type of accommodation.

To get further information about alarm systems, please contact the Council. LACORS national guidance on fire safety in residential accommodation can also be downloaded free of charge at www.gov.uk.

Gas and Electrical Safety

All gas appliances must be checked annually by a registered gas engineer. You must give your tenants a copy of the landlord gas safety certificate before they move into the property and each annual certificate throughout their tenancy. All gas engineers must be registered with the Gas Safe Register (www.gassaferegister.co.uk).

You must ensure that the electrical installation and any electrical appliances you provide are safe, to reduce the risk of electrocution or fire. Electrical installations must be inspected and tested every five years and appliances checked more frequently. For details on how to find an approved electrician visit: www.esc.org.uk.

You must have a satisfactory written report on the condition of the electrical installation often referred to as an EICR. Any works identified in the report as C1 or C2 must be carried out urgently.



House In Multiple Occupation and Licensing

An HMO licence is likely to be needed if a property:

- is occupied by five or more people from two or more households and
- has tenants who share some amenities like a kitchen and , or bathroom.

For details on how to apply for a licence visit the councils [website](#).

Protection from Eviction

Landlords must follow strict procedures if they want to ask a tenant to leave. Failure to do so will leave them open to accusations of harassment and illegal eviction which is a criminal offence.

Correct notice must be given to the tenant and they can only be legally removed by a court order. Most tenants however decide to leave voluntarily when the notice to quit expires, provided it has been properly served.

What can Stroud District Council do to help ?

Deposit Bond Scheme

Stroud District Council run a deposit guarantee scheme which sets out to assist those on Housing Benefit to access good quality affordable housing in the private rented sector. This is a non-cash guarantee made with the landlord instead of the normal cash deposit, equivalent to one months rent. In order to be eligible, the landlord must have a current 'Fit to Rent' award for the property or be willing to obtain one, whereby the Council has certified that it meets certain basic criteria.

Fit to Rent

A free voluntary scheme for landlords which aims to promote the provision of good, quality, private rented accommodation. For more information, please see www.stroud.gov.uk

More information

Find out more at www.stroud.gov.uk or contact
The Private Sector Housing Team
environmental.health@stroud.gov.uk
Tel: 01453 754478