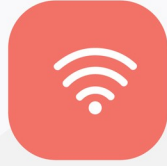




THE 11 POINT CHECKLIST

FOR LANDLORDS



11 POINTS EVERY LANDLORD NEEDS RIGHT NOW

Introduction

Government legislation in the UK Private Rental Sector is an ever-increasing minefield of compliance, which means as a Landlord you have & legal responsibility throughout the life of the tenancy.

You must be on your toes at all times, be certain that your legal obligations are covered, understood & implemented, along with good practice of tenancy assignment & property maintenance.

It is absolutely imperative the correct knowledge, systems & procedures are in place to enable you to oversee, police & monitor the legal requirements of compliance legislation. Failure to do so can lead to heavy penalties & even imprisonment.

The tenancy assignment process involves several aspects of legislation, all must be implemented timely & correctly, to be sure the tenancy is in fact legally acceptable. If not, the lacking of such requirements will impact the status of the tenancy & bring with it major complications, such as failure to evict a tenant & much more.

In order to assist with some of the aspects of compliance, such as where to start & general tenancy welfare, we have come up with some brief guidance in the form of this 11 Point Checklist, which we hope will be of use to the seasoned or newbie Landlord.

1. Private Sector Housing Licensing

It is absolutely vital you check in with your local authority gov.uk website to see if your property falls into this area, or for that matter is likely to fall into this area in due course.

This particular legislation was rolled out in 2006, as a means of weeding out rogue Landlords, so as to ensure Landlords are renting out the property to an acceptable standard, whilst adhering to the ongoing maintenance requirements in conjunction with the licence renewal, which is generally every 5 years.

You must be pro-active where this is concerned as the Licence fees & any improvement requirements may prove expensive & could have an impact on the worthiness of even considering the property as a rental. Some licensed properties such as Houses of Multiple occupancy (HMO) require mandatory periodic & annual safety checks & as a consequence maintenance of status logs in order to validate your competence & rights of the licence, otherwise you may be in breach of the entitlement & be liable to a fine.



2. Referencing Tenants for assignment

Tenant referencing is an absolute must to enable assurance of affordability & ability to look after a property, this includes both employer & previous Landlord checks, as well as credit checks to identify any history of bad debts or CCJs, all of which are important factors to take into consideration.

As a Landlord myself I am as good as interviewing the tenant as soon as I meet them, as effectively character & personality also play a part of a person being a responsible tenant.



As of 2014 it became mandatory for all tenants to be checked in conjunction with the government right to rent under the immigration act.

Landlords failure to follow the correct procedural checks can result in heavy fines or even a jail sentence hence, the process must be correct & in order of the Tenancy assignment.

3. The Tenancy Deposit Protection Scheme (TDP)

A Landlord must process a tenant's deposit in a government scheme, this process is time sensitive & if it is not processed correctly with the assignment of the Tenancy in the correct manner the Landlord is in breach of assignment, the legislation was brought in back in 2007 with three schemes in operation as follows...

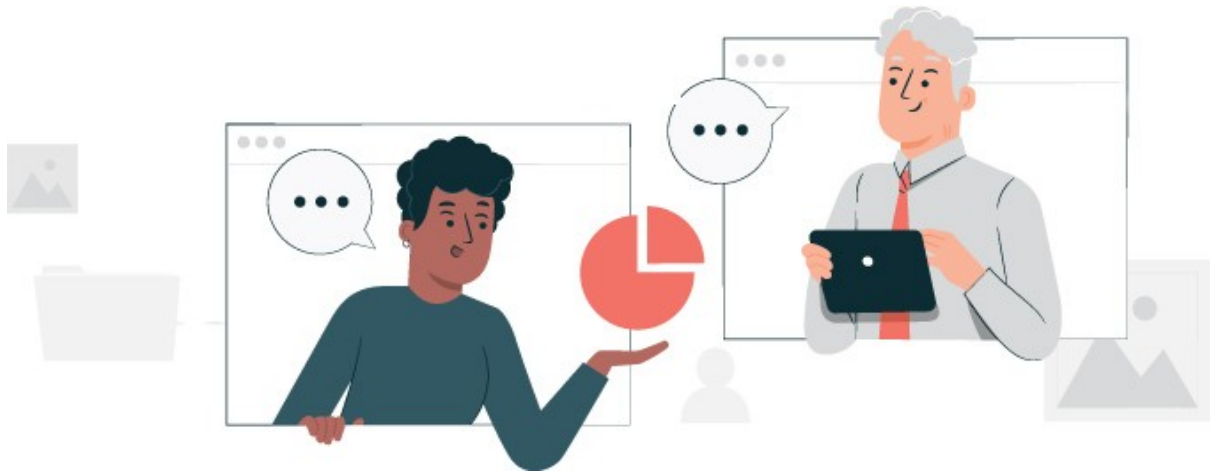
1. Deposit Protection Scheme (DPS)
2. Tenancy Deposit Scheme (TDS)
3. My Deposits

The deposit must be protected correctly within 30 days of assignment & must include the Prescribed Documentation, such failure of process could result in prevention of eviction, the full return of the deposit regardless of any tenant damage & a fine of up to three times the value of the deposit amount.



4. Tenancy Agreement in writing (AST)

Would you believe a written agreement is not a legal requirement, as an Assured Shorthold Tenancy (AST) is assumed regardless, for the benefits of Tenants who may fall foul of a Landlord who has decided not to provide one. Some rogue Landlords are of the thought that without one a Tenant has no rights of stay...however, that is not the case.



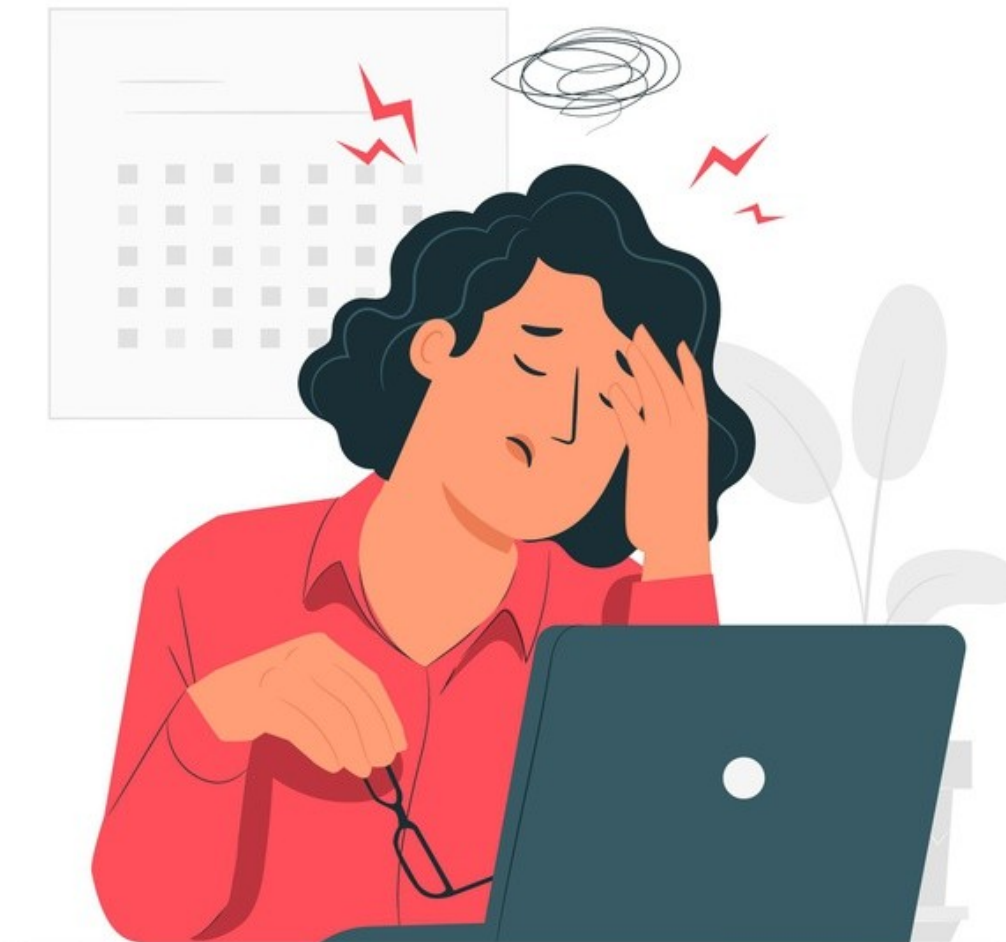
Personally I see a written agreement as a mandatory requirement in the interests of both Landlord & Tenant, even if the property is occupied by a friend or family member, the written assignment represents professional competence & best practice.

The document assures each party is fully aware of the terms & conditions in association with the Housing Act 1988.

5. Landlord Insurance Policy

It is essential a Landlord's responsibilities of liability are covered every which way & more.

The type of Landlord Insurance Policy required for the purposes of Private Renting is not the same as a standard Home Insurance Policy, most standard policies do not provide the necessary protection. For instance, if you are considering renting out your own home & you do not inform your current buildings insurer, you risk invalidation of policy, so again this is a vital aspect of a Landlord's responsibility.



6. Energy Performance Certificate (EPC)

You must serve your tenants with an Energy Performance Certificate; this legislation came into force on 1 April 2018.

The property must be in at least EPC band E prior to letting it out, the improvement requirements will be stated on the certificate as a form of guidance or scope of work involved.

If the property is let out at a lower rate band of E & not up to standard, or an EPC is no longer valid, you could be heavily fined.



7. Preparation of a property for Rental

You must think & plan out this aspect very carefully. Is the dwelling to be furnished, part furnished or unfurnished with or without white goods etc. A Landlord may need to research & ascertain the standard general tenancy requirements.

For instance, if this is your own home, you must consider removal of any sentimental items, as they are likely to be impractical when it comes to the purposes of a rented property. The property may have personal items stored in the garage or loft space which effectively may be deemed as off putting to a potential tenancy. Housekeeping is essential so naturally be sure the property is clean & tidy.

The decoration & cosmetic standard is essential, so implementing a contemporary status will generally prove to be a practical option to both Tenant & Landlord, light colourings can provide a bright & airy ambience, whilst also proving worthy of an affordable budget & lifetime maintenance.



8. Property Safety checks

As the landlord, you are ultimately responsible for ensuring the property is absolutely safe for the tenants, the standard safety requirements are as follows...

1. CP12 Gas Safety Certificate.

This procedure is carried out annually by a Gas Safe registered engineer, the Boiler & all appliances are checked as safe. The engineer will provide the Tenants & Landlord with a Gas Safety Certificate. Letting a property that doesn't safely use gas is absolutely illegal & can be viewed as a criminal **offence**. The penalty for renting a property without a gas safety check includes possible imprisonment, Invalid insurance & up to £6000 in fines.

2. Smoke Detection

This legislation came into force in 2015, although the legislation has since been revised...

However, the impact of COVID-19 & the difficulties this period has created for people wishing to access properties to install new smoke and carbon monoxide alarms has led Parliament to agree to delay the implementation of the new standard until February 2022.

New Fire and Smoke Alarm Standard – Revision...

Q: What is the new Fire & Smoke Alarm Standard & how many Alarms are required to meet the Standards?

A: The new Standard requires:

- one smoke alarm installed in the room most frequently used for general daytime living purposes
- one smoke alarm in every circulation space on each storey, such as hallways and landings
- one heat alarm installed in every kitchen

All alarms should be ceiling mounted and interlinked.

Where there is a carbon-fuelled appliance (such as boilers, fires [including open fires] and heaters) or a flue, a carbon monoxide detector is also required, which does not need to be linked to the fire alarms. Fire & smoke detectors or Alarms should be fitted on each storey of the property from the day of the start of the agreement & tested on same day of assignment, as a part of the legal assignment.

Also, Carbon Monoxide Detectors must be installed in any room where Solid Fuel is used or could be potentially used. For instance, even if an open fire is boarded or out of use, it is good practice to install a Carbon Monoxide Detector for fear of the tenant deciding to open up the fireplace without being granted written permission of the Landlord.

Once again as stressed, such detectors & alarms have to be tested on the first day of the tenancy, to enable a legally assigned tenancy.

EICR – Electrical Installation Condition Report

Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

The Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years.

Guidance has been produced by the electrical safety industry that covers how Landlords can choose a qualified and competent inspector and tester.

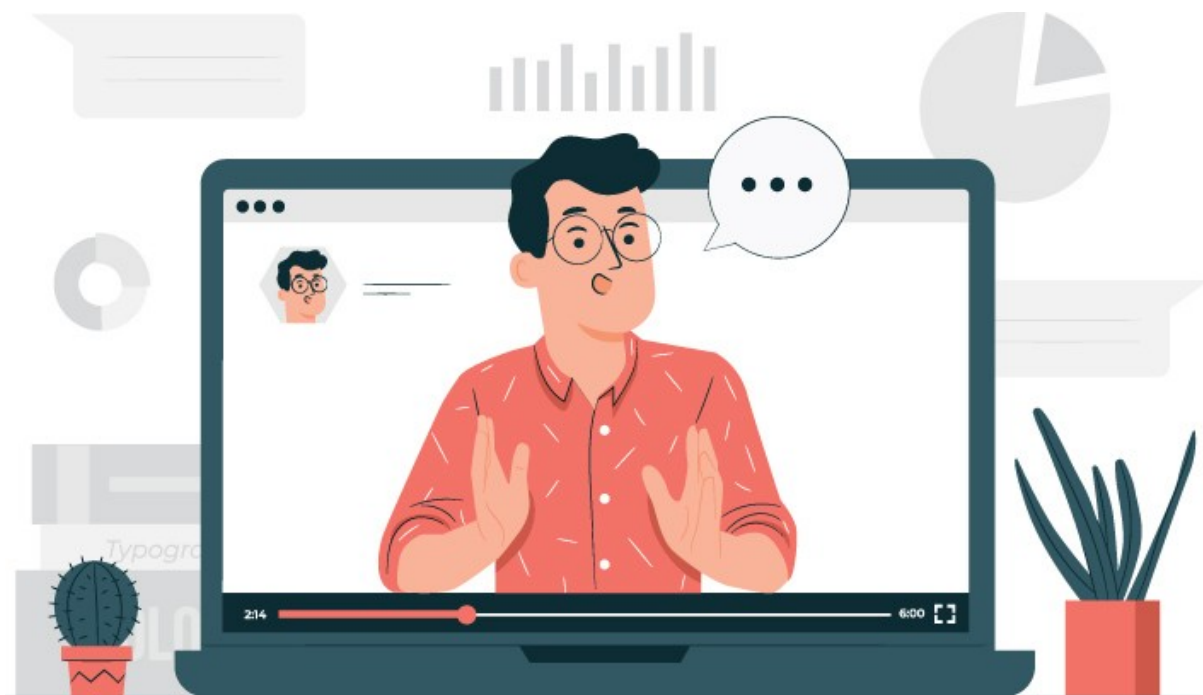
This covers an array of areas, when it comes to going into detail of what is covered & included in the aspect of safety checks. Therefore, it is vital a Landlord references the government website to be sure of all the necessary requirements of this type of certification, for instance a single let property varies to that of an HMO.

9. Reporting Maintenance

As part of the Landlord & Tenant act Tenants have to report maintenance issues in writing.

Private Tenants, have the legal right to live in a property that is safe & in a good state of repair, all repairs must be reported to the Landlord in the first instance. All repairs must be reported to the Landlord or Letting Agent in writing, it is considered a breach of legislation if such reports are not accepted in writing.

'If not dealt with a Tenant may choose to contact the Local Authority for guidance & support'



Landlords should fix major problems within 2 weeks, particularly if they pose a threat to a Tenant's Health, Safety & Security, for instance a broken Boiler in the depths of winter, as a result could mean no provision of heating or hot water.

10. Property Inspections

Regular property inspections are essential...however, notification in advance is mandatory to the tenancy. This means you are not allowed to enter the property without permission of the tenants, otherwise this is classed as trespassing & is therefore illegal.

It is seen as good practice to submit '24 or 48 hours' written notice, which should be as standard in your tenancy agreement.



11. Management Takeover

A Government ruling is also in place to enforce a Landlord or Agent to be banned from Managing a Property, for persistent breach of tenancy laws.

This effectively means your local authority would take control of your property, and collect the rent.

Naturally in these instances the property owner is still liable for the mortgage & maintenance costs. However, such costs may well be inflated if the local authority takes over this responsibility.



In Summary

We are certain this information provides a very basic realistic view of Landlord's responsibilities, within the UK Private Rental Sector and we are sure it will be helpful to you.

As we all know dealing with tenants and day to day issues, as well as keeping up to date with latest legislations etc. can prove to be a bit of a headache.

This has led many landlords to opt for a hassle-free approach!

That's where Gazabela Property Solutions can help with our Rent Maximisation service for landlords!!

We will manage your property and provide you with guaranteed rent each month with no voids for up to 5 years. As you will have no tenants to find or manage you will have no fees to pay either!

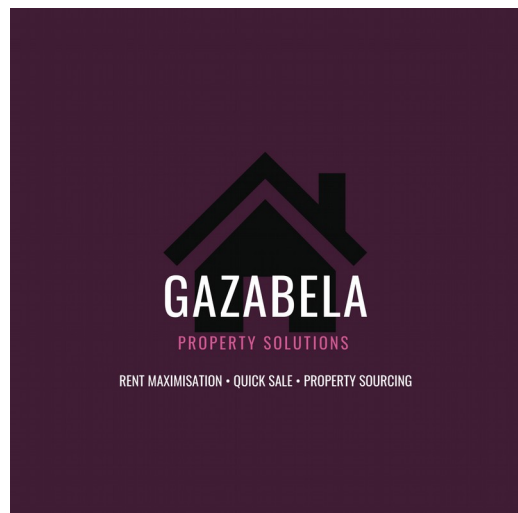
Partnering with Gazabela Property Solutions can be the best decision a landlord can make, so please feel free to get in touch by emailing us at hello@gazabelapropertyolutions.com

Need to read more about us please visit....

<https://www.gazabelapropertyolutions.com/who-are-we>

Thanks for downloading this e-book as we wish you well on your property journey, as a competent Landlord in the UK Private Rental Sector.

Feel free to get in touch.



Disclaimer

It is necessary that this information is not accepted as advice as we are providing this document as a form of guidance only to assist with due diligence.

The information may be seen as valid to current legislation as of and up to the end of 2020. It is important to recognise that Government Legislation in the Private Rental Sector is moving & changing regularly & at a somewhat rapid pace.

Social media vector images by stories - freepik.com