

HOW TO...

RENT

The checklist for
renting in England



Part of the How to Guides series

 **HARVEY BROOKS**



HM Government

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This information is frequently updated.

Search on GOV.UK for **How to Rent** to ensure you have the latest version.

Landlords cannot use the section 21 (no fault) eviction procedure unless an up-to-date version of this guide has been provided to the tenant.

The online version contains links you can click on to get more information.

If you do not have internet access, ask your local library to help.

Any references to the Tenant Fees Act apply from 1 June 2019.

Assured shorthold tenancies

When you enter an [assured shorthold tenancy](#) – the most common type – you are entering into a contractual arrangement.

This gives you some important rights but also some responsibilities.

This guide will help you to understand what questions to ask, what your rights are, and what responsibilities you have.

This will help you create a positive relationship with your landlord, but will also tell you how to get help if things go wrong.

Take your time to read documents and contracts carefully. When you rent a home, people sometimes expect you to make a quick decision, or to sign documents before you've had time to think about them.

You shouldn't feel forced into a decision and it is important to understand the terms and conditions of any contract you are agreeing to before you sign it.

Your landlord **must** provide you with a copy of this guide, so **use the checklist and keep it safe** to protect yourself from problems at every stage.

Who is this guide for?



This guide is for people who are about to rent a house or flat on an [assured shorthold tenancy](#). Most of it will equally apply if you are in a shared property but in certain cases [your rights and responsibilities will vary](#).

The guide does not cover [lodgers](#) (people who live with their landlord) or people with [licences](#) – (such as many property guardians for whom specific guidance can be found [here](#)) – nor tenants where the property is not their main or only home.

Links



This guide is best viewed online as it contains hyperlinks.

If you are reading this on a computer or tablet, you can click on the links to go to other websites with more detailed information.

They are coloured and underlined [like this](#).

On Android or Windows devices, links work better if you download Acrobat Reader from get.adobe.com/uk/reader.

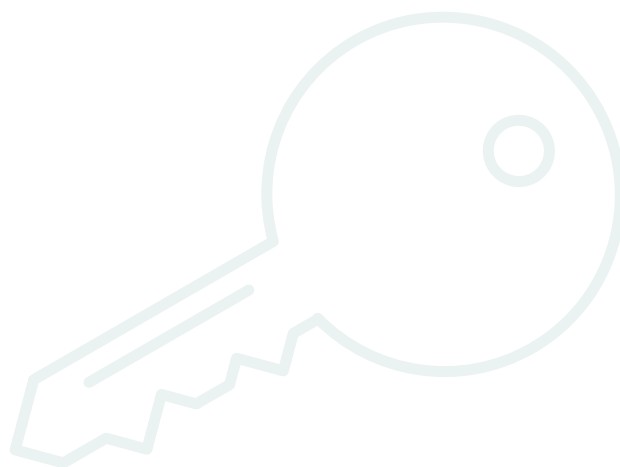
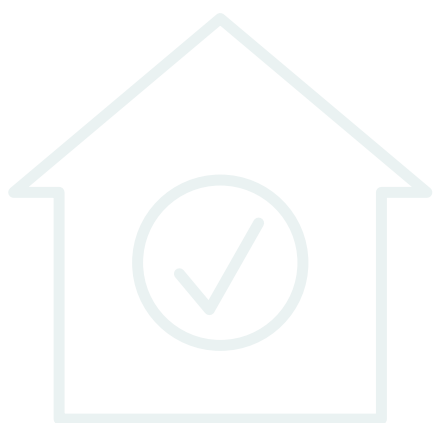
CONTRACT

Before you start

Renting from a landlord or a letting agent?

Key questions:

- ☐ **Is the landlord or letting agent trying to charge any fees?** From 1 June 2019, tenancy deposits are capped and most fees charged in connection with a tenancy are banned. There are also set procedures in place regarding holding deposits. For more information, please read the [Government guidance](#) on the ban.
- ☐ **How long do you want the tenancy for?** You can ask for a tenancy to be any time between 6 months and 7 years. This has to be agreed with the landlord.
- ☐ **What can you afford?** Think about how much rent [you can afford to pay](#): 35% of your take-home pay is the most that many people can afford, but this depends on what your other outgoings are (for example, whether you have children).
- ☐ **Are you entitled to Housing Benefit or Universal Credit?** If so, you may get help with all or part of your rent. If you are renting from a private landlord you will receive up to the Local Housing Allowance (LHA) rate to cover or help with the cost of rent. Check with this [online calculator](#) to see if you can afford to live in the area you want. You should also look at this advice about [managing rent payments on Universal Credit](#).
- ☐ **Which area you would like to live in and how you are going to look for a rented home?** The larger the area where you are prepared to look, the better the chance of finding the right home for you.
- ☐ **Do you have your documents ready?** Landlords and agents will want to confirm your identity, [immigration status](#), credit history and possibly employment status.
- ☐ **Do you have the right to rent property in the UK?** Landlords must check that all people aged over 18 living in their property as their only or main home have the right to rent. They will need to make copies of [your documents](#) and return your original documents to you.
- ☐ **Will you need a rent guarantee?** Some landlords might ask someone to [guarantee your rent](#). If you don't have a guarantor, you can ask [Shelter](#) for advice.



Ways to rent a property

Direct from the landlord

- Look for landlords who belong to an [accreditation](#) scheme. Accreditation schemes provide training and support to landlords in fulfilling their legal and ethical responsibilities. Your [local authority](#) can advise you about accreditation schemes operating in your area. The [National Landlords Association](#) (NLA), the [Residential Landlords Association](#) (RLA) and the [Guild of Residential Landlords](#) run national schemes.



Watch out for scams!

Be clear who you are handing money over to, and why.

Through a letting agent

- It is illegal for letting agents and landlords to charge certain fees from 1 June 2019. To check the list of prohibited fees and to find out how to report a landlord or letting agent you think is breaching the ban, see the government's guidance on the Tenant Fees Act 2019 [here](#). Where a letting agent is permitted to charge fees, by law, a breakdown of all fees should be clearly visible to you in the agent's office and website including any third party website they advertise on.
- Letting agents must be a member of a redress scheme. You should check which [independent redress scheme](#) the agent is a member of in case you have an unresolved dispute.
- If they receive money from you such as rent payments, you should also check they are a member of a client money protection scheme. A list of approved schemes can be found [here](#). By law, this information should also be clearly visible to you.
- Reputable agents are often accredited through a professional body like [ARLA Propertymark](#), [Safeagent](#), [RICS](#) or [UKALA](#).
- Landlords and property agents cannot unlawfully discriminate against a tenant or prospective tenant on the basis of their disability, sex, gender reassignment, pregnancy or maternity, race, religion or belief or sexual orientation.

Looking for your new home

Things to check

- Deposit cap.** Check that the tenancy deposit you're being asked for is not more than five weeks' worth of rent (where annual rent is less than £50,000) or six weeks' rent (where annual rent is more than £50,000).
- Deposit protection.** If the landlord asks for a deposit, check that it will be protected in a [government approved scheme](#). Some schemes hold the money, and some insure it. You may be able to access a [bond or guarantee scheme](#) that will help you put the deposit together. Contact your local authority for advice.
- You may be offered a deposit replacement product as an alternative to a cash deposit.** Depending on the product, you may be required to pay a non-refundable fee up-front (often equivalent to one week's rent) and/or a monthly payment for the duration of your tenancy. With most products you will still be responsible for the costs of any damages incurred at the end of the tenancy or required to pay an excess on any claim for damages or unpaid rent.
- A landlord or agent cannot require you to use a deposit replacement product but may allow it as an option without contravening the Tenant Fees Act.** There are several different products available on the market.
- Length of tenancy.** There is usually a fixed period of 6 or 12 months. If you want more security, you can ask for a longer fixed period.

- ❑ **Children, smoking and pets.** Check if there are any rules about them, as well as for other things such as keeping a bike, dealing with refuse and recycling.
- ❑ **Bills.** Check who is responsible for bills such as electricity, gas, water and council tax. You or the landlord? Usually the tenant pays for these. Advice on paying bills is available [here](#).
- ❑ **Fixtures and fittings.** Check you are happy with them, as it is unlikely that you will be able to get them changed once you have moved in.
- ❑ **Smoke alarms – and carbon monoxide detectors.** If you have solid fuel appliances like woodburning stoves or open fires, check carbon monoxide detectors are provided. If not, your landlord must install them. They could save your life.
- ❑ **Safety.** Check that the property is safe to live in. Use the [How to rent a safe home](#) to help you identify possible hazards.
- ❑ **Fitness for human habitation.** Your property must be safe, healthy and free from things that could cause serious harm. If not, you can take your landlord to court. For more information, see the Tenants' Guide on using the [Homes \(Fitness for Human Habitation\) Act 2018](#). You should also check whether your tenancy agreement excuses you from paying rent should the building become unfit to live in because of, for example, a fire or flood.

Check who your landlord is

- **They could be [subletting](#)** – renting you a property that they are renting from someone else. If they are subletting, check that the property owner has consented.
Find out who you should speak to if any repairs need doing.
- **Ask whether the property is [mortgaged](#).** Landlords should let you know about this upfront, because you may be asked to leave the property if the landlord does not pay their mortgage payments.

Houses in Multiple Occupation (HMOs)

HMOs are usually properties where three or more unrelated people share facilities such as a kitchen or bathroom.

Some HMOs must be [licensed](#). Check that your landlord has the correct licence. Landlords of licensed HMOs / houses **must by law** give tenants a statement of the terms on which they live in the property.



When you've found a place

Check the paperwork

- ☐ **Tenancy Agreement.** Make sure you have a written tenancy agreement and read it carefully to understand your rights and responsibilities before you sign it. The landlord or agent usually provides one, but you can request to use a different version. The government has published a [model tenancy agreement](#) which can be downloaded for free. If you have any concerns about the agreement, seek [advice](#) before you sign.
- ☐ **Inventory.** Agree an inventory (or check-in report) with your landlord before you move in and, as an extra safeguard, make sure that you **take photos**. This will make things easier if there is a dispute about the deposit at the end of the tenancy. If you are happy with the inventory, sign it and keep a copy. From 1 June 2019, landlords/letting agents cannot charge certain fees – see the [Government's guidance](#) for more information.
- ☐ **Meter Readings.** Remember to take meter readings when you move in. This will help make sure you don't pay for the previous tenant's bills.
- ☐ **Contact details.** Make sure that you have the correct contact details for the landlord or agent, including a telephone number you can use in case of an emergency. You are legally entitled to know the name and address of your landlord.
- ☐ **Code of practice.** Check whether whoever is managing the property is following a [code of practice](#).

The landlord must provide you with:

- **A copy of this guide** *How to rent: The checklist for renting in England* either as a hard copy or, if you agree, via email as a PDF attachment.
- **A gas safety certificate.** The landlord must provide one at the start of the tenancy and within 28 days of each annual gas safety check, if there is a gas installation.
- **Deposit paperwork.** If you have provided a deposit, the landlord must protect it in a government approved scheme within 30 days and provide you with prescribed information about it. Make sure you get the official information from your landlord, and that you understand how to get your money back at the end of the tenancy. Keep this information safe as you will need it later.
- **The Energy Performance Certificate.** This will affect your energy bills and the landlord must provide one (except for Houses in Multiple Occupation). Properties let on tenancies entered into after 1 April 2018 must have an [EPC rating of at least 'E'](#) (unless a valid exemption applies).

Protection from eviction

If your tenancy started or was renewed after 1 October 2015 your landlord cannot evict you with a Section 21 notice (no fault eviction) if they have not provided you with these documents.

If your local authority has served your landlord with an Improvement Notice related to necessary repairs in your property, you cannot be evicted with a section 21 notice (no fault eviction).

If there are outstanding prohibited payments or a holding deposit that you are due to have repaid to you under the Tenant Fees Act 2019, you cannot be evicted with a section 21 notice (no fault eviction).

You can still be evicted with a section 8 notice if you break the terms of your tenancy.

The landlord should also provide you with:

- **A record of any [electrical inspections](#).** All appliances must be safe and checks every 5 years are recommended.
- **Evidence that smoke alarms and any carbon monoxide alarms** are in working order at the start of the tenancy. Tenants should then regularly check they are working.

Living in your rented home

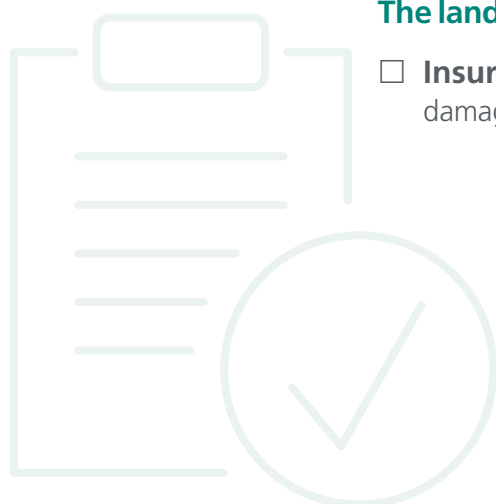
The tenant must...

- ☐ **Pay the rent on time.** If your rent is more than 14 days late, you could be liable for a default fee. For more information, please read the [Government's guidance](#) for tenants on the Tenant Fees Act 2019. Further, you could lose your home because you have breached your tenancy agreement. If you have problems, [GOV.UK](#) has links to further advice. Check out these [practical steps for paying your rent on time](#).
- ☐ **Pay any other bills** that you are responsible for on time, such as council tax, gas, electricity and water bills. If you pay the gas or electricity bills, you can [choose your own energy supplier](#).
- ☐ **Look after the property.** Get your landlord's permission before attempting repairs or decorating. It's worth getting contents insurance to cover your possessions too, because the landlord's insurance won't cover your things.
- ☐ **Be considerate to the neighbours.** Anti-social behaviour may be a reason for your landlord to evict you.
- ☐ **Not take in a lodger** or sub-let without checking whether you need permission from your landlord.

The tenant should...

- ☐ **Make sure you know how** to operate the boiler and other appliances and know where the stopcock, fuse box and any meters are located.
- ☐ **Regularly test** your smoke alarms and carbon monoxide detectors – at least once a month.
- ☐ **Report any need for repairs** to your landlord. There will be a risk to your deposit if a minor repair turns into a major problem because you did not [report it](#).
- ☐ **And don't forget to [register to vote](#).**

If you are responsible for paying the energy bills, you can choose to have a smart meter installed. Guidance about your rights can be found [here](#) and information about how to get a smart meter can be found [here](#). We'd recommend that you tell your landlord before you get one.



The landlord must...

- ☐ **Maintain the structure** and exterior of the property.
- ☐ **Ensure the property is free from serious hazards** from the start of and throughout your tenancy.
- ☐ **Fit smoke alarms** on every floor and [carbon monoxide alarms](#) in rooms with appliances using solid fuels – such as coal and wood – and make sure they are working at the start of your tenancy. If they are not there, ask your landlord to install them.
- ☐ **Deal with any problems** with the water, electricity and gas supply.
- ☐ **Maintain** any appliances and furniture they have supplied.
- ☐ **Carry out most repairs.** If something is not working, [report it](#) to your landlord or agent as soon as you can.
- ☐ **Arrange an annual [gas safety check](#)** by a Gas Safe engineer (where there are any gas appliances).
- ☐ **Give at least 24 hours notice of visits** for things like repairs – the landlord cannot walk in whenever they like.
- ☐ **Get a licence for the property** if it is a [licensable property](#).
- ☐ **Ensure the property** is at [a minimum of EPC energy efficiency band E](#) (unless a valid exemption applies).

The landlord should...

- ☐ **Insure the building** to cover the costs of any damage from flood or fire.

At the end of the fixed period

If you want to stay

Should you wish to extend your tenancy after any initial fixed period, there are a number of important issues to consider. Check [Shelter's website](#) for advice.

- ☐ **Do you want to sign up to a new fixed term?** If not, you will be on a 'rolling periodic tenancy'. This means you carry on as before but with no fixed term – your tenancy agreement should say how much notice you must give the landlord if you want to leave the property – one month's notice is typical. Shelter publishes advice on how you can end your tenancy.
- ☐ **Your landlord might want to increase your rent.** Your landlord can increase your rent by agreement, or as set out in your tenancy agreement, or by following a [procedure set out in law](#).

The deposit cap introduced by the Tenant Fees Act 2019 means you may be entitled to a partial refund of your tenancy deposit. The Government's guidance on the Act explains whether this affects you. You can download it [here](#).

If you or the landlord want to end the tenancy

The Government has announced that it plans to put an end to 'no fault' section 21 evictions by changing existing legislation. Landlords will still be able to issue you with a section 21 notice until new legislation comes into effect. If you receive a section 21 notice from your landlord, seek advice from Shelter or Citizens Advice.

There are things that both landlords and tenants must do at the end of the tenancy:

- ☐ **Giving notice.** It is a legal requirement for landlords to give you [proper notice](#) if they want you to leave. Normally, the landlord must allow any fixed period of the tenancy to have expired, and they must have given at least two months'

notice. If you want to end the tenancy early, you could be charged for this. The Government's guidance on the [Tenant Fees Act](#) contains more information.

Your tenancy agreement should say how much notice you must give the landlord if you want to leave the property – one month's notice is typical.

- ☐ **Return of deposit.** Try to be present when the property is inspected to check whether any of the tenancy deposit should be deducted to cover damage. If you do not agree with proposed deductions contact the relevant [deposit protection scheme](#).
- ☐ **Rent.** Make sure that your rent payments are up to date. Do not keep back rent because you think that it will be taken out of the deposit.
- ☐ **Bills.** Do not leave bills unpaid. This might have an impact on your references and credit rating.
- ☐ **Clear up.** Remove all your possessions, clean the house, take meter readings, return all the keys and give a forwarding address. Dispose of any unwanted furniture via a local collection service. The landlord is usually entitled to dispose of possessions left in the property after, typically, 14 days. The landlord must let you know, or try to let you know, that they intend to dispose of possessions you leave behind.



If things go wrong

Most problems can be resolved quickly and easily by talking to your landlord or letting agent. There are often legal protections in place too for the most common problems that you may experience during the tenancy – the following links will tell you what they are or where to look for help:

- ☐ **If you have a complaint about a letting agent's service** and they don't resolve your complaint, you can complain to an [independent redress scheme](#). Letting agents must be a member of a government approved redress scheme.
- ☐ **If you are having financial problems**, or are falling into rent arrears, speak to your landlord as they may be helpful, and are likely to be more sympathetic if you talk to them about any difficulties early on. Should you need further help contact your local housing authority, [Citizens Advice](#) or [Shelter](#) as soon as possible. Check out these [practical steps for managing your rent payments](#).
- ☐ **If the property is in an unsafe condition** and your landlord won't repair it – contact your [local authority](#). They have powers to make landlords deal with serious health and safety hazards.
- ☐ **You may be able to take your landlord to court yourself** if you think the property is not fit for habitation, under the [Homes \(Fitness for Human Habitation\) Act 2018](#). The court can make the landlord carry out repairs and can also make the landlord pay you compensation.
- ☐ **If you have a serious complaint about the property** and your local authority has sent a notice to the landlord telling them to make repairs, your landlord [may not be able evict you](#) with a Section 21 notice (no fault eviction) for 6 months after the council's notice. You can still be [evicted](#) with a Section 8 notice if you break the terms of your tenancy.
- ☐ **Failure to comply with a statutory notice is an offence.** Depending on the notice, local authorities may prosecute or fine the landlord up to £30,000.
- ☐ **Local authorities have powers to apply for [banning orders](#)** which prevent landlords or

property agents letting out property if they are convicted of certain offences. If a landlord or property agent receives a banning order, they will be added to the [database of rogue landlords and property agents](#) – you can ask your local authority for more information about this. Landlords or agents may also be added to the database if they are convicted of a banning order offence or receive 2 or more [civil penalties](#) within a 12 month period.

- ☐ **If a landlord or letting agent charges you a 'prohibited payment'** (a banned fee according to the Tenant Fees Act 2019) or unlawfully retains a holding deposit they could be liable for a fine of up to £5,000 and if there are multiple breaches they could be liable for a fine up to £30,000 as an alternative to prosecution. Local authorities are responsible for issuing these fines.
- ☐ **If your landlord is making unannounced visits or harassing you** – contact your local authority, or if more urgent dial 999.
- ☐ **If you are being [forced out illegally](#), [contact the police](#) and your [local authority](#).** If your landlord wants you to leave the property, they must notify you in writing, with the [right amount of notice](#) – you can only be legally removed from the property with a court order.

If you live with your partner and you separate, you may have [the right to carry on living in your home](#).

If you are concerned about finding another place to live, then contact the Housing Department of your [local authority](#) straight away.

Depending on your circumstances, they may have a legal duty to help you find accommodation and they can also provide advice.

Local authorities have legal duties to help people who are threatened with homelessness within 56 days or are actually homeless.

The local authority should not wait until you are evicted before taking action to help you.

If you are reading a print version of this guide and need more information on the links, please contact us at 2 Marsham St, Westminster, London SW1P 4DF or 0303 444 0000

Further sources of information

Further information about landlords' and tenants' rights and responsibilities can be found [here](#).

The Government's guidance on the Tenant Fees Act can be found [here](#). This includes:

- ☐ **What the Tenant Fees Act covers**
- ☐ **When it applies and how it will affect you**
- ☐ **Helpful Q & A**

Tenancy deposit protection schemes

Your landlord must protect your deposit with a government-backed tenancy deposit scheme.

- ☐ [Deposit Protection Service](#)
- ☐ [MyDeposits](#)
- ☐ [Tenancy Deposit Scheme](#)

Client money protection schemes

Your agent must protect money such as rent payments through membership of a government approved money protection [scheme](#).

Letting agent redress schemes

Every letting agent must belong to a government-approved redress scheme.

- ☐ [The Property Ombudsman](#)
- ☐ [Property Redress Scheme](#)

Homes (Fitness for Human Habitation) Act 2018

- ☐ [Guide for Tenants](#)

Help and advice

- ☐ [Citizens Advice](#) – free, independent, confidential and impartial advice to everyone on their rights and responsibilities.
- ☐ [Shelter](#) – housing and homelessness charity who offer advice and support.
- ☐ [Crisis](#) – advice and support for people who are homeless or facing homelessness.
- ☐ [Your Local Housing Authority](#) – to make a complaint about your landlord or agent, or about the condition of your property.
- ☐ [Money Advice Service](#) – free and impartial money advice.
- ☐ [The Law Society](#) – to find a lawyer.
- ☐ [Gas Safe Register](#) – for help and advice on gas safety issues.
- ☐ [Electrical Safety First](#) – for help and advice on electrical safety issues.
- ☐ [Marks Out Of Tenancy](#) – information for current and prospective tenants.

Also in this series

- ☐ The government's '[How to Rent a Safe Home' guide](#) helps current and prospective tenants ensure that a rented property is safe to live in.
- ☐ The government's '[How to Let' guide](#) provides information for landlords and property agents about their rights and responsibilities when letting out property.
- ☐ The government's '[How to Lease' guide](#) helps current and prospective leaseholders understand their rights and responsibilities.
- ☐ The government's '[How to Buy a Home' guide](#) provides information to home buyers.
- ☐ The government's '[How to Sell a Home guide](#) provides information to those looking to sell their home.

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