

Thinking about renting from a private landlord?

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Avoid the pitfalls of private renting



part of the LGA group

Despite the housing market slump caused by the credit crunch, the private rental sector is more buoyant than ever. Buying a home has been difficult, so people are renting instead from a private landlord. For students and other young people leaving home, renting is often the most viable option.

This simple guide will help you to avoid some of the pitfalls, if you are thinking about renting from a private landlord in England or Wales.

1 Find a property you can afford

Before searching for a property, it is important to be realistic about what you can afford. Remember that rent is not the only cost – travel costs, utility bills, council tax, insurance and TV/phone bills should all be considered. Are there transport links or shops nearby?

If you are on a low income, you may be eligible for Local Housing Allowance (a new way of calculating housing benefit) to help with the rent. To find out whether you qualify for assistance, contact your council's housing benefit team.

2 Renting from a landlord or an agent

Many people rent direct from private landlords through adverts on the internet, in newsagents and local papers. If you choose this method, make a viewing appointment, carry this guide with you and take a friend (or tell friends where you are) – and don't forget ask questions and make notes. Local councils also work closely with private landlords, through accreditation schemes, to help them manage their properties well. Find out if your council can supply you with a list of accredited landlords.

High street letting and managing agents also provide accommodation. Before using an agent, check if they are members of the National Approved Lettings Scheme (www.nalscheme.co.uk), the Association of Residential Letting Agents (www.arla.co.uk) or the Royal Institution of Chartered Surveyors (www.rics.org/uk). Membership of these organisations will provide independent redress schemes if a dispute arises.

3 References

Most landlords will ask you for a character reference from an employer, education college, bank and/or other responsible person. They may also want a copy of your wage slip. Be honest when giving information as debt history can be traced and your application rejected.

4 Tenancy Agreements

Having a signed tenancy agreement, stating terms and conditions of rental, will make it easier to deal with any disputes. Read the agreement thoroughly before signing (seek advice if you wish), and ensure you keep a copy in a safe place. Assured shorthold tenancies are the most common type.

5 Deposits and rent in advance

Remember you may be asked for a deposit and a month's rent in advance. If you have difficulties, local private sector access schemes may help you to secure accommodation. Visit www.privaterentedsector.org.uk for assistance. Your landlord is required by law to protect your deposit under one of the following government approved protection schemes, introduced to stop unfair withholding of deposits. They are:

- My Deposits (www.mydeposits.co.uk)
- The Deposit Protection Service (www.depositprotection.com)
- The Dispute Service (www.thedisputeservice.co.uk)

If a landlord does not follow the rules he can be ordered by the Courts to compensate you with three times your original deposit, plus the deposit itself. For more advice visit www.direct.gov.uk/en/TenancyDeposit/index.htm or seek advice from your local council.

To avoid disputes at the end of your tenancy, ask for a room by room inventory check of the property, with photographs and agree this with you landlord before moving in.

6 Save money on your fuel bills

If you rent a whole house or flat, your landlord must show you an Energy Performance Certificate before you move in. With all properties now rated from A to G, finding a more energy efficient property could help save you money on your fuel bills. For further information, visit <http://epc.direct.gov.uk/index.html> or contact Consumer Direct on Tel: 08454 04 05 06 or contact Trading Standards at your local council.

7 Does the property need a licence?

If the property has three or more storeys and houses five or more people who are not related, the landlord must obtain a licence from the local council. If the landlord fails to get a licence he can be taken to court and, on conviction, fined up to £20,000. Following conviction, tenants can apply for a Rent Repayment Order from the Residential Property Tribunal Service (www.rpts.gov.uk) to reimburse them for some of the rent, if they apply within a fixed time. Your local council can give you more information.

8 Check that the gas appliances are safe

Carbon monoxide leaks, from faulty gas appliances, can kill. Your landlord must show you a valid Gas Safety Certificate before you move in. He/she must have an annual check of all appliances in the house, from a registered Gas Engineer. From 1 April 2009 all gas engineers must be registered with the Gas Safe Register (www.gassaferegister.co.uk) which has replaced Corgi. Any repairs should be done before you move in. If these are delayed without explanation after you have moved in, contact your local council.

9 Ensure the property is free of hazards

Avoid problems by visually checking that the properties you view are in reasonable condition before agreeing to rent. Ask the landlord what fire precautions have been provided.

Apart from gas, electrical and fire safety you should be able to move around your home safely. Staircases must be well lit with a firm handrail, should not have gaps small children can slip through and floors must be level to avoid trips or falls. Check that there are enough bolts and locks on doors and windows for security. Find out who holds the keys to the property and whether anyone else will have a key to your room. Ensure the kitchen has sufficient storage, preparation and cooking space.

10 Ask for advice when you need it

Recent laws have introduced better protection from bad housing and most people find good landlords. However, a few will have bad experiences and need expert advice. If you need help, information is available from housing and homelessness organisations such as Shelter (www.shelter.org.uk), Crisis (www.crisis.org.uk), and the Citizens Advice Bureau (www.citizensadvice.org.uk). Alternatively, you can contact your local council.

For additional advice on private renting visit www.direct.gov.uk/en/HomeAndCommunity/index.htm.

This information has been prepared to help you understand your rights and responsibilities as a private tenant. It is not intended as a comprehensive summary of the relevant legislation and you may want to seek independent advice.

If you have any specific queries in relation to the topics covered in this leaflet, please contact your local council for advice.



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The Local Government Association is the national voice for more than 400 local authorities in England and Wales. The LGA group comprises the LGA and five partner organisations which work together to support, promote and improve local government.

