

Factsheet 63

Finding private rented accommodation

June 2024



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2 How to Rent: the checklist for renting

How to Rent is a checklist for private tenants and people looking to rent privately, produced by the Department for Levelling Up, Housing & Communities. It includes information on:

- what to look out for before renting
- your rights and responsibilities in a rented home
- what happens at the end of a tenancy
- what to do if things go wrong.

If you were granted an assured shorthold tenancy on or after 1 October 2015, your landlord cannot bring your tenancy to an end on a '*no fault*' basis if you have not been provided with a copy of the checklist.

They can, however, give you a copy at any point during the tenancy, so long as they provide the current version of the checklist. In that case, they can still end the tenancy on a '*no fault*' basis.

If your landlord renews your tenancy, they only need to provide a further copy of the checklist if there has been an update since the tenancy was first granted. This also applies if the fixed term of your tenancy ends and you remain in the property without a new tenancy being granted.

It is a good idea to obtain your own copy before signing an assured shorthold tenancy, see www.gov.uk/government/publications/how-to-rent

3 Where to find private rented accommodation

To find private rented accommodation, you can:

- use a letting agency
- look for advertisements, for example in a local newspaper or in a community centre, library, or shop
- place an advertisement yourself
- look online – popular websites include Zoopla, Rightmove, and Spareroom. If you are not online, try your local library
- ask your friends or family if they know of any rooms or places to rent
- contact your local authority housing options service – they may be able to help if you have trouble finding a property because you claim Universal Credit or Housing Benefit or cannot afford up-front costs (see section 8).

Do not rent a property directly from an existing tenant. This is known as '*subletting*' and the tenant might not have the landlord's permission to rent to you.

4 Viewing the property

6 Before moving in

Before signing a tenancy agreement, read it carefully and ask about anything you do not understand. It should include:

the type of tenancy or licence

the start date and, if fixed term, the end date

the names of all people involved – the landlord, the named tenants, and other members of the household

the rent, how it is paid, and how and when it can be increased

the deposit amount, how it is protected, and the circumstances in which deductions can be made at the end of the tenancy

your obligations and the landlord's obligations, for example on repairs (although the landlord is always responsible for some repairs)

an outline of bills you are responsible for and whether utilities or services are part of the rent.

If the tenancy has a fixed term, check if it has a break clause allowing you to leave early. If not, you can be held liable for rent for the whole term even if you leave before the end. If the property is mortgaged, check the lender is aware it is being rented out. This affects your right to stay if your landlord does not keep up with their mortgage payments.

Get a list of furniture and other items in the property (an inventory), including notes of any damage or disrepair. It is best to sign it with your landlord at the start of your tenancy to prevent future disagreement. Take dated photographs to evidence the condition of the property when you moved in. If unsure about a tenancy agreement, go to an advice agency such as a local Age UK, or Citizens Advice to seek help to review this before signing.

7 Security deposits

A security deposit is an amount of money you may be required to pay at the start of a tenancy, capped at five weeks rent (or six weeks if the rent is more than £50,000 per year), if signing a tenancy after 1 June 2019. If you signed before this date and your tenancy has now been renewed, your landlord should refund you the difference between your original deposit and the cap.

The money should be returned to you at the end of the tenancy, but the landlord or agent can keep some, or all, of it if you have damaged the property or owe rent. They are not allowed to do this to cover normal wear and tear.

Since 6 April 2007, all deposits paid in relation to assured shorthold tenancies must be safeguarded by a government-sponsored scheme. The scheme protects your deposit and provides an alternative dispute resolution service should there be a disagreement about its return.

9 Letting agencies

Letting agencies are businesses advertising, and sometimes managing, homes for rent. If your property is managed by a letting agent, you deal with them instead of the landlord and may pay your rent to them.

Letting agencies are usually in the local telephone directory or online. Some are regulated by professional bodies such as ARLA Propertymark or safeagent. Use their websites to search for registered agencies.

Fees

Private landlords and lettings agents have been banned from charging fees to assured shorthold tenants and licensees. Fees means all payments, except for rent and the following:

a security deposit, capped at five weeks' rent if the annual rent for the property is less than £1000 per annum

Holding deposits

Holding deposits are refundable in most circumstances, including where you are successful in securing the property or the landlord decides not to proceed with the letting.

The main exceptions are if:

Who is disqualified from renting?

You are disqualified from renting if you are not a British citizen and:
you require leave to enter or remain in the UK but do not have it, or
you have leave to enter or remain in the UK subject to a condition that
you are disqualified from renting.

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What documents are acceptable?

The landlord or agent must review and copy an original document from a prescribed list. The documents include:

British or Irish passport

passport, travel or immigration document showing you are exempt from immigration control, allowed to stay indefinitely in the UK, have the right of abode in the UK, or no time limit on your stay in the UK.

If you do not have one of these documents, you can give two documents from a second prescribed list, including:

birth or adoption certificate issued in the UK

letter issued by a government department or local authority meeting prescribed requirements, such as being no more than three months old
current driver's licence.

Documents which show a time-limited right to rent include:

valid passport showing your right to stay in the UK for a limited time

UK immigration document showing your right to stay for a limited time.

The landlord or agent must take '*reasonable steps*' to check the validity of a document and be satisfied it is genuine and belongs to you.

Discrimination

The Home Office issued a Code of Practice for landlords and agents, *Avoiding unlawful discrimination when conducting 'right to rent' checks in the private rented residential sector*.

This states that landlords should be consistent in how they conduct the checks, ensuring they do not make assumptions about a person's right to rent or treat those providing manual documents more or less favourably.

See www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice

for a copy of the Code of Practice and other relevant documents.

Seek further advice from the Equality Advisory Support Service if you think you may have been discriminated against in the course of a right to rent check.

Useful organisations

ARLA Propertymark

www.arla.co.uk

Telephone 01926 496 800

Regulatory body for letting agents in UK. It promotes standards in the residential lettings property market.

Citizens Advice

www.citizensadvice.org.uk

Telephone 0800 144 8848

National network of advice centres offering free, confidential, independent advice, face to face or by telephone.

Equality Advisory Support Service (EASS)

www.equalityadvisoryservice.com

Telephone 0808 800 0082

Funded by the Equality and Human Rights Commission, the EASS helpline provides information and advice about the *Equality Act 2010*.

Housing advice services

There may be a specific housing advice or housing aid centre in your area, providing advice on a range of housing issues. Your local authority or Citizens Advice should be able to tell you about these services.

Local authorities have a legal duty to ensure that advice and information about homelessness and how to prevent homelessness is available. Contact your local authority as soon as possible if you are worried you may become homeless.

NAEA Propertymark

www.naea.co.uk

Telephone 01926 496 800

UK professional body for estate agents. Its members operate under rules of conduct and must meet certain standards relating to professional and ethical practice.

Property Ombudsman (The)

www.tpos.co.uk

Telephone 01722 333306

Independent service for buyers, sellers, tenants, and landlords of property in the UK. Helps resolve disputes between consumers and property agents.

Property Redress Scheme

www.theprs.co.uk

Telephone 0333 321 9418

Consumer redress scheme for property agents and professionals.

safeagent

www.safeagents.co.uk

Telephone 01242 581712

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Age UK

Age UK provides advice and information for people in later life through our Age UK Advice line, publications and online. Call Age UK Advice to find out whether there is a local Age UK near you, and to order free copies of our information guides and factsheets.

Age UK Advice

www.ageuk.org.uk

0800 169 65 65

Lines are open seven days a week from 8.00am to 7.00pm

In Wales contact

Age Cymru Advice

www.agecymru.org.uk

0300 303 4498

In Northern Ireland contact

Age NI

www.ageni.org

0808 808 7575

Scotland contact

Age Scotland

www.agescotland.org.uk

0800 124 4222

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