

Legal Obligations

In general, the Landlord is responsible for ensuring that the property, and any contents provided, is safe and fit for their intended purpose. Legally the Landlord has a Duty of Care to provide a Safe Environment for the Tenant. The Landlord & Tenants Act 1985 section 11 requires the Landlord *to keep in good repair the structure and exterior of the dwelling, (including its drains, gutters and external pipes) and to keep in repair and proper working order the installations in the dwelling, for sanitation and for the supply of water, gas and electricity as well as those for space heating and heating water.* The following will give you some guidance and make you aware of YOUR responsibilities as a Landlord to the Tenant.

Electrical Safety

There is currently no legal requirement for an electrical safety certificate (except in the case of all houses in multiple occupation (HMOs)). Saying that, anyone who lets residential accommodation is required by Law to ensure the equipment supplied, new or second hand is safe. You must also ensure that instruction booklets are available at the property for all appliances, and that any necessary safety warnings are given to tenants. We would recommend that on-going safety check and or a Portable Appliance Test (PAT) be scheduled in.

Gas Safety

It is a requirement by law to have a Gas supply and appliances / boilers checked annually by a Gas Safe qualified engineer. A Gas Safe Certificate must then be issued and a copy given to the tenant. Failure to do so can result in a large fine and even imprisonment.

Similar requirements apply to oil fired heating systems.

We would recommend that you install a carbon monoxide alarm in the property if gas or oil fired appliances are present.

Smoke Detectors

Properties built after June 1992 must have mains interlinked smoke detectors fitted. We insist that all property's pre June 1992 must have battery operated smoke detectors fitted and a new battery at the beginning of each tenancy.

Furniture and furnishings

Any soft furnishings chairs, sofas, beds pillows etc. that are in the property must comply with fire regulations, and a fire safety label must be attached. If not, then the furnishings must be removed from the property before it is let.

Energy Performance Certificate (EPC)

Since 1st October 2008 an EPC has been mandatory on all new residential lets and is valid for 10 years. Its purpose is to record how energy efficient a property is as a building. The certificate will provide a rating of energy efficiency and carbon emissions of a building from A to G, A being very efficient and G very inefficient. A landlord is not required to carry out any of the works suggested, but if he does carry out any works to improve the efficiency of the property, the EPC

can be renewed at any time. The EPC must be available before any marketing, advertising or viewings can take place. A paper copy of the EPC must be included in the welcome pack for the new tenant.

Consent to Let

Before letting your property you must if Mortgaged, Joint Ownership or Leasehold, obtain the permission from the lender, joint owner or Freeholder to let out the property. We would ask that copies of consent to let are provided for our records before we will let the property.

Insurance

Landlords will need to inform their Insurance Company that they are letting out the property in order to protect themselves in the event of damage occurring to their property.

Tax

All rental income is required to be declared to the Inland Revenue and we recommend you seek guidance from an accountant with regards to this.

Non UK Resident Landlord

If you are a non UK Resident landlord you may be able to obtain a tax exemption certificate from HM Revenue & Customs by completing an NRL form. When an exemption certificate is provided an agent is no longer required to withhold tax from the rent and submit it at the end of each tax year. If an exemption certificate is not provided we are required to notify the Inland Revenue that we are acting as your letting agent. Before paying over rents received to you, we will deduct income tax (basic rate) from the net rent received. We will pay the tax due to the Inland Revenue at the appropriate time out of the provision held and any over provision of tax will be paid to you, no interest will be earned on these monies.

Keys

For Managed Lets we require three complete sets of keys to the property, two for the tenants and one for Bartletttings to retain.

Council Tax

The tenant will be responsible for the Council Tax. If the property is empty, you will be responsible for the charge set by the local authority.

Garden

Gardens should be left in good order. The lawnmower (if supplied) should be in good working order and the minimum of tools left necessary for upkeep of the garden. If the garden is large, we recommend that a gardening service should be provided.