



## GUIDE FOR LANDLORDS

***“Our commitment is to provide a Lettings Service second to none, giving you the peace of mind and the comfort of knowing that the care of your property will always be our priority”***

At The Real Estate Bureau we take very seriously the duty of care and responsibility we have to our Landlords who, let's face it, entrust to us one of their most valuable assets. We are committed to offering Landlords a professional, personal, efficient and enthusiastic service. We can offer the benefit of the very latest in technology, providing you with marketing of the highest quality, whilst maintaining the traditional core values we believe are essential in providing a personal and responsive service.

Debbie Smith, one of our Directors, is a licensed member of the Association of Residential Lettings Agents (ARLA Propertymark) <http://www.arla.co.uk/>. As an ARLA Propertymark Protected Member, we are required to meet higher standards than the law demands and, through this, we offer greater protection to our customers including:

- The security of the Propertymark Client Money Protection scheme
- Offering experienced and trained professionals required to undertake regular training
- Keeping up to date with complex legislative changes and best practice
- Adhering to a nationally recognised Code of Practice – The Property Ombudsman
- Membership of an independent redress scheme – The Property Ombudsman <https://www.tpos.co.uk/>
- Submitting independently audited accounts to Propertymark annually
- Professional indemnity insurance

Our residential lettings service is designed to meet the needs of Landlords and Tenants alike. We combine our established local presence and independence with years of experience, to provide you with a personal, professional and effective service.

### FREE LETTINGS APPRAISAL

In the first instance, we offer a free, no obligation, lettings appraisal. During the appraisal, we will give you advice and information and details of all the services we offer, including:

- Rental advice
- Advice on property condition and presentation
- Advice on Safety Regulations
- Arranging for Energy Performance Certificates
- How we market the property and find a suitable Tenant, including explaining referencing of applicants
- Advice on Assured Shorthold Tenancy Agreements
- Deposit holding advice
- The importance of an Inventory and Schedule of Condition
- Property Inspections and Landlord feedback
- Property maintenance and repairs
- Rent collection
- Tenancy Renewal or re-marketing
- End of Tenancy advice

## **FINDING A TENANT**

It is vital that the property is marketed effectively and we have the necessary experience and tools to ensure that all avenues are covered. As soon as your formal instructions have been received, we will:

- Prepare details of the property
- Identify and inform suitable potential Tenants already registered with us
- Include rental details on our web site, other national property portals and social media
- With your permission, erect a distinctive "To Let" board

We are committed to finding the very best Tenants to occupy your property. Applicants must meet stringent financial criteria and their ability to meet the rental commitment is assessed on our behalf by an independent specialist referencing agency. All applicants will be asked to complete our pre-qualification form before viewing the property. Suitability is assessed on the basis of:

- An exhaustive credit check
- Employment reference(s)
- Previous Landlord(s) reference (where applicable)
- Search of public records/electoral roll for proof of address over previous 5 years
- Right to Rent Immigration check

There are occasions when we will request the Tenant provides a Guarantor before proceeding. The Guarantor will undergo the same rigorous checks applied to the Tenant and will legally become party to the tenancy.

In the case of a company, a full company search would be taken.

## **LEGAL ISSUES**

As housing legislation is constantly evolving and changing, our comprehensive tenancy agreements are updated regularly, in order to meet and comply with the current legislation, ensuring that your legal rights and obligations are always met.

## **MINIMUM ENERGY EFFICIENCY STANDARDS (MEES) AND ENERGY PERFORMANCE CERTIFICATE (EPC)**

Currently, the MEES allowed for rented properties are a minimum of an E rating on their EPC and the government's aspiration is for as many homes as possible to meet a minimum EPC rating of C and is proposing that ratings should rise to C or above for all newly rented properties on the market from the start of 2025. Changes would be phased in, with existing tenancies given until 2028 to comply. EPCs must be provided free to any prospective Tenant before they have viewed the property.

## **SAFETY REQUIREMENTS**

The letting of property is closely regulated with respect to consumer safety. The law makes particular demands regarding the safety, servicing and inspection of the gas and electric appliances and installations within a property, and with respect to the safety of furniture and soft furnishings provided. The following regulations (not exhaustive) apply:

- Furniture and Furnishings (Fire)(Safety) Regulations 1988, as amended in 1993
- General Product Safety Regulations 1994
- Gas Safety (Installation and Use) Regulations 1998
- Gas Cooking (Safety) regulations 1980
- Electrical Equipment (Safety) Regulations 1994
- Plugs and Sockets (Safety) Regulations 1994
- Section 149: The Housing Act 2004
- Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

At all times, both you, the Landlord, and we, as your agent, have a duty of care to the Tenant. Safety plays a major part and there are a number of statutory requirements which must be adhered to. The penalties for non-compliance are significant fines and possible imprisonment. The main areas are:

- Gas Safety. It is a statutory requirement that all properties supplied with gas are checked annually and appliances tested. Tests must be undertaken by a Gas Safe registered engineer who will issue a 'Landlord Gas Safety Certificate' for the property, a copy of which must be given to the Tenant. Copies of certificates issued must be kept for at least 2 years.

- **Electrical Safety.** It is a statutory requirement that every fixed electrical installation is inspected and tested at least every five years by a qualified person. An Electrical Installation Condition Report is issued and must be given to the Tenant.
- **Smoke Alarms and Carbon Monoxide Detectors.** The regulations require Landlords to have at least one smoke alarm installed on every floor of their rental property which is used as living accommodation, and a carbon monoxide alarm in any room, used as living accommodation, where solid fuel is used or where there is any type of fixed combustion appliance, such as gas boilers and gas fires (this does not include gas cookers). The Landlord must make sure the alarms are in working order at the start of each new tenancy.
- **Furniture and Furnishings.** All items (excluding authenticated antique furniture) which are upholstered or have a filling material must comply with Fire Safety Regulations. Any furniture manufactured after 1st March 1989 must comply with this legislation and should be labeled accordingly. Any item, regardless of its age, which is not labeled will be deemed non-compliant and must be removed from the property.
- **Legionella.** The Landlord has duties in regard to the prevention of legionella and the inspection of domestic-type water systems, it is agreed that the Landlord shall be responsible for the maintenance of the water system and any associated safety checks under these duties.
- **Other Statutory Safety Regulations.** Generally, any item left in the property for the Tenant's use – including all electrical items, white goods, smoke and carbon monoxide detectors must be in good working order. Landlords must also provide relevant operational information for items which have any risk associated with their use i.e. electric lawnmowers.

## **CONSENT TO LET**

If you have a mortgage on your property, other than a Buy to Let mortgage, there is every likelihood that you will need consent to let from your lender. Leasehold properties may require consent from the freeholder or, more usually, the managing agents.

## **INSURANCE**

You must advise your insurance company (buildings and contents) of your intention to let the property and comply with any conditions they may impose. This is very important as insurance providers stick rigidly to the terms of their policies and not informing them will invalidate your policy. Tenants are responsible for insuring their own possessions.

We can arrange suitable insurance policies for both Landlords and Tenants.

## **INCOME TAX**

Income tax is payable on all rental income arising from let property in the UK, regardless of the residential status of the Landlord. In the case of a Non-Resident Landlord (whose usual place of abode is outside of the UK), the letting agent is required to withhold tax from rent received on behalf of the Inland Revenue, unless written approval for exemption has been obtained from them. Approval will be granted once an NRL1 Form (which can be supplied by us) has been submitted. Approval of the application does not make the rent exempt from UK tax and it must be declared as income.

## **OUR SERVICES**

With three levels of service available, you choose how little or how much involvement you want in running your tenancy. All three levels of service include:

- Initial market appraisal, advice on refurbishment requirements, providing guidance on compliance with statutory provisions and letting consents
- Full Marketing and advertising on relevant portals and social media, responding to all enquiries
- Carrying out pre-qualification of tenants and accompanied viewings and recommending most suitable tenants for referencing
- Comprehensive referencing; ID checks, Right-to-Rent check, credit checks, obtaining employer and landlord references
- Preparation of all Tenancy Documentation, carrying out any negotiations and arranging signature.
- Preparation of the Inventory and Schedule of Condition
- Collect Security Deposit, remit initial months' rent by same day faster payment and set up method for future payments

## **Tenant Find Service**

We recommend this service to experienced 'professional' Landlords who have the time, resources and experience to deal directly with Tenants on all issues that arise from letting, including emergency callouts, faulty appliances, lost keys etc.

## **Rent Collection Service**

This service is designed for Landlords who would like some involvement in the letting of their property and who have the time, resources and trade contacts to manage the day to day maintenance themselves, but do not want to deal with the rent collection or accounting. In addition to the Tenant Find Service, our Rent Collection Service includes:

- Ensuring that the security deposit is correctly placed with a Government-authorised scheme (Deposit Protection Service)
- Testing Smoke Alarms and Carbon Monoxide Detectors on the first day of the tenancy
- Deducting any pre-tenancy invoices
- Informing utility suppliers and council offices of incoming/outgoing Tenants
- Demanding, collecting and remittance of the monthly rent by same day faster payment
- Itemised monthly Rent Account Statements
- Pursuing non-payment of rent and providing advice on rent arrears actions
- Advising on non-resident tax status, make any HMRC deduction and provide tenant with the NRL8 (if relevant)

## **Full Management Service**

Our Full Management Service covers all aspects of the letting and management of your property and is tailored for Landlords who do not wish to have any direct involvement with their Tenants. In addition to the Tenant Find and Rent Collection Services, our Full Management Service includes:

- A settling-in inspection six weeks after new Tenants move in, then regular six-monthly inspections
- Comprehensive Inspection Reports with photographs
- All queries, correspondence and calls from Tenants come directly to us
- Dealing with all maintenance issues, arranging appointments and payments for statutory requirements and routine repairs
- An out of hours emergency contact service
- Rent Review and serving any Legal Notices
- Carrying out the Check-out Inspection, providing a comprehensive report, with photographs, and dealing with deposit dilapidation negotiations

We appreciate that some Landlords will also have different requirements and may need additional services and we would be happy to discuss these, as required.