

## Advice for Tenants

### Whether you're already a tenant, thinking of renting from a private landlord, or looking for somewhere to live, then we can help.

Private rented property is advertised in many ways, including in newspapers (the local free papers are useful), magazines, shop windows, supermarket notice-boards, estate agents and on internet sites. If you're not sure of the best way, it's sensible to go through a reputable letting agent.

Once you have found a property that you like it is sometimes difficult to find the initial costs of taking it on. Most landlords require a month's rent in advance plus a deposit usually equal to one month's rent. This can mean an initial outlay of over £1,000 which is not always easy to find.

We can make this easier by helping you with a Social Fund loan application (if you are eligible) or through our Bond Guarantee Scheme (if you are facing homelessness).

### What to do before you rent

Before you agree to rent or sign anything, take a good look at the property you're thinking of renting. Is it safe and fit for you to live in? Here are some things you should think about:

**Energy Performance Certificate** - every private rented property must have one with a copy provided to the tenant.

**Heating** - what kind is there, and does it work?

**Damp** - look for tell tale stains, smells or mould on walls and ceilings.

**Electricity** - are there enough sockets and do they work?

**Water** - turn on a tap to check that it works.

**Gas** - does the property have a Gas Safety Certificate from a CORGI gas engineer?

**Kitchen and bathroom** - are they well equipped and big enough? Do they have adequate ventilation?

**Furniture** - check what comes with the property and what condition it is in. The landlord should give you a list, make sure you agree with what's on it. If you do not have access to furniture we can refer you to YMCA furniture project.

**Security** - check that all the doors and windows close properly and that there are enough locks and bolts to keep the place secure.

**Safety** - how would you get out in a fire? Is there a smoke alarm?

If you're thinking of moving into a house that's been converted into flats, bedsits, or a hostel there should be fire safety equipment such as smoke and heat detectors, fire doors and fire blankets.

Make a list of anything that does not work or is missing and talk to the landlord about it.

You should also make sure that you:

- can afford the rent. You may be able to get Housing Benefit to help pay your rent, so find out first
- get a written tenancy agreement, which says what your rent is and spells out what you and your landlord are responsible for
- get a receipt if you have paid a deposit to the landlord. If you have paid a cash deposit your landlord must place this into a recognised tenancy deposit scheme. You should receive details of this within 14 days of paying the deposit, if you don't you should seek legal advice immediately. Please contact our Housing Options team if this happens and we will advise you.

## Getting repairs done

When you sign your tenancy agreement you should find out which repairs your landlord is responsible for, which repairs you should do, and how to report a repair.

If you need a repair, write to your landlord or telephone if it's an emergency. If your landlord won't do the work, contact us for advice, our details are below.

We can take legal action to get the work done. In really bad cases, we can close the property down and help you to find somewhere else to live.

### **Using the tenancy or contract to get repairs done yourself:**

Under Section 11 of the Landlord and Tenant Act 1985, you can take your landlord to court if they fail to carry out repairs after being informed of them. The court can order your Landlord to undertake the repairs and award damages to you.

Tenants should report any defects to the landlord in writing, giving them an opportunity to fix the problem. If the problem is not resolved, then tenants can contact Derbyshire Law Centre or the Citizens Advice Bureau for support.

## Insulation Grants

A variety of schemes are available to tenants for grant assistance to improve the heating in your home and provide additional insulation. These works are designed to make homes more energy efficient, protecting the environment and reducing fuel bills.

## Ending your tenancy

If you want to end your tenancy you usually have to give 28 days or one month's notice in writing to your landlord (make sure to keep a copy of the letter). If you have a fixed term agreement such as an Assured Shorthold Tenancy you may have to pay rent until the end of your agreement, unless it contains a clause allowing you to leave early.

For example, if you leave after three months of a six month tenancy you may have to pay rent for the remaining three months if your landlord has been unable to re-let the property during the period of your tenancy. You should always seek legal advice before doing this. You may still be responsible for the Council Tax bill for the rest of this time too.

Once the fixed term period is up you need only give 28 days or one month's notice. Remember to keep a copy of the letter.

## If your landlord wants to end your tenancy

If your landlord tells you that he or she wants you to leave, check your tenancy agreement to see what notice you are entitled to. The length and type of notice that your landlord will have to give you depends on which type of tenancy you have.

Unless you share accommodation with your landlord you will usually be entitled to get written notice and a court order before having to leave. It is a criminal offence for your landlord to evict you without following the correct legal procedure.

## You and your landlord

You are entitled to 'quiet enjoyment' of the property you are renting. This means that your landlord has to let you use the property peacefully and must allow you to exercise all of your legal rights.

If you are threatened with harassment or eviction contact our Housing Options Team (details below).

Your landlord (and agent if you have one) must by law give you their name and address so that you can report repairs or other problems.

Your landlord may have a spare set of keys to your property but does not have the right to enter at any time. The only time your landlord has right of access is to check for any necessary repairs and to do this they need to give you at least 24 hours notice in writing. However, this could be less in case of an emergency, but your agreement must still be sought before the landlord can enter your property.

If you are worried that your landlord is entering the property while you are out it may be possible for you to change the lock, but take advice before doing this - contact our Housing Options team for advice.

If you pay your rent weekly you are legally entitled to a rent book or similar document. If you pay your rent monthly you should ask for a receipt for all rent paid.

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