



KILNSTONE PROPERTY



Deposit protection

When a tenant pays a cash deposit, it must be protected in a Government approved scheme within 30 days of receipt if the tenancy will be an Assured Shorthold Tenancy (AST).

Local authority licensing (houses in multiple occupation)

Depending on the type, location and occupancy of your property, a license may be required from your local authority. It is important that you understand your local authority's requirements as every borough operates its own scheme and there are mandatory and discretionary licenses which may be required.

Before letting

Ahead of letting for the first time you will need to arrange the following, where applicable. We will provide further advice if needed:

Consent from your mortgage lender, freeholder and insurer.

A clear understanding of any restrictions placed on the type of let or type of tenant – please confirm this in writing to us before marketing begins.

A folder containing appliance manuals and instructions for use (including central heating system) for the tenant's benefit.

A complete set of property keys (including window, garage and security keys) per tenant, plus a full set for us if we'll be managing it for you.

Postal redirection, if you are vacating the property being let.

Pre-tenancy documentation and certification.

Legal & Regulatory Considerations

There are over 150 separate pieces of statutory legislation governing how landlords, tenants and tenancies must operate in England and Wales. Below is a brief overview of the implications of some of the most commonly encountered Acts and regulations, and details of how Kilnstone will help you to comply.

Energy Performance Certificate

Agents are not permitted to market properties without a valid Energy Performance Certificate (EPC) and landlords are obliged to provide tenants with a copy of a valid EPC before the start of every tenancy.

Tenancy preparation

To secure the right tenant, and help you meet your legal obligations, we will:

- ✓ Prepare the most suitable type of tenancy agreement or short let agreement.
- ✓ Provide an open banking-based reference for each tenant who will be named on the agreement (excluding short lets, where the entire rent is usually collected in full in advance).
- ✓ Complete initial Right to Rent checks.
- ✓ Register your tenant's deposit with the Tenancy Deposit Scheme (TDS)
- ✓ If you allow a tenancy to proceed with a deposit replacement product instead of a cash deposit sum, we will make the necessary introductions to one of our deposit replacement partners.

Minimum energy efficiency standards for landlords:

It is not possible to let a property with an EPC rating below E, and from April 2020 it will not be possible to renew a tenancy in a property where the rating is below E.

Right to Rent

Before a tenancy begins, landlords in England and Wales have a legal obligation to ensure that their tenant and any permitted occupants have the right to remain in the UK before a tenancy commences. If they have the right, but for a limited time only, follow up checks are also required.

Rental

Your property rental will be paid to you on the day it is due, unless this day falls on a weekend you will be paid on the next working day.

Gas safety regulations

If your property has a supply of gas to it you must check all gas appliances annually and provide a Gas Safety Record to your tenant. A certificate must be provided before the start of any new tenancy and annually thereafter.

Electrical safety

You have a responsibility to ensure that the electrical installations and appliances in your property are safe. You will need to obtain an EICR Certificate for your property containing the 18th wired regulations.

Fire and furnishings

Any furniture provided in a rented property must comply with fire resistance regulations. While some antique furniture may be exempt, labels attached to new furnishings will confirm compatibility and should be left attached. Separate safety standards deal with internal window blinds and the danger posed by cords and chains to babies and children.

Water and bacterial control

You must ensure that risk from exposure to legionella in water systems is properly controlled. Properties which are left empty or those with open cold-water tanks, swimming pools and hot tubs are particularly at risk.

Heating and hot water

Landlords of properties in a block that benefits from a central or shared supply of services such as heating, air conditioning or hot water must provide details to the National Measurements Office if they intend to pass on charges for these services to a tenant. A meter must also be installed.

Charging of fees to tenants

From June 2019 it is no longer possible to charge most types of pre-tenancy costs to a tenant. Charges which are allowed include:

- ✓ - Rent
- ✓ - Deposits
- ✓ - Up to £50 for administrative changes to a tenancy agreement
- ✓ - Reasonable costs associated with early termination
- ✓ - Payments for utility services
- ✓ - Interest on late payments of rent (capped)
- ✓ - Costs for replacement keys if lost

The Government expects that landlords and agents will share the impact of absorbing charges which previously were paid by tenants. Also, rents should not rise as a consequence of the implementation of the Tenant Fees Act.