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FOR LANDLORDS

Government authorised deposit protection



EXPERT ADVICE

Thinking of letting your property?

A guide for virgin landlords

While there is no shortage of detailed information and advice available online, these are 12 key questions a first-timer may want answered.

A GUIDE FOR VIRGIN LANDLORDS

1 Am I allowed to let my property?

If you have a mortgage or do not own the property's freehold, you will need to contact your mortgage provider/freeholder to check any changes or conditions they may impose before going ahead.

2 How much rent will I get?

Have a look at what else is on the market at the time and the rents being asked in the area. You can also ask a letting agent to give you a valuation.

Be realistic and flexible about the amount of rent you're asking. It's usually preferable to have a tenant signed up at a slightly lower rate than face weeks or months of costly 'void'.

3 Furnished or unfurnished?

Although it makes little difference to the amount of rent you will get, it does affect the type of tenant you will attract. Singles and first time renters are less likely to have their own furniture than established couples and families.

If your property is already furnished, it makes sense to rent it this way as storage is surprisingly expensive.

4 How do I find a tenant?

Although it is far cheaper to advertise a property yourself online or in the press, virgin landlords may prefer to use a letting agent - who will find the tenant and handle the paperwork - and learn how to do it through them. But this comes at a price! Alternatively, join an organisation like the National Landlords Association who will provide you with all the necessary forms and guidance.

5 Can I vet or veto a tenant?

Yes. You are completely free to interview prospective tenants and reject for a valid reason - but not to discriminate against tenants on the basis of race, gender, disability, sexuality or religion.

Make sure you also take full detailed references - from their employer and previous landlord. Alternatively, you can use a reference service, such as NLA Tenant Check www.nlatenantcheck.org.uk

6 What about letting 'privately' to friends or acquaintances?

It's nice to know the people renting your property, but the same rules apply - formal paperwork and legal obligations. That way you are protected if something goes wrong; they are covered by a proper tenancy agreement; and everything is within the law.

7 What are my legal obligations?

Essential paperwork includes a Tenancy Agreement, Tenancy Deposit Protection, and an Energy Performance Certificate. Regulations also cover an annual gas safety check, if relevant. You should also make sure the property meets fire and electrical safety standards.

8 What happens to the tenant's deposit?

When you or your letting agent take a deposit, by law you must 'protect' it, through a recognised scheme such as mydeposits. This is very simple to set up online.

Even if you use a letting agent you remain ultimately liable if the deposit is not protected. You must make sure the deposit has been protected by the agent within 30 days of the deposit being handed over.

The Housing Act 2004 states that there are heavy penalties for landlords who do not protect deposits within 30 days of receiving it, including a fine of up to three times the deposit amount and the inability to serve a section 21 notice prior to protection.

9 Who pays for what?

	You	The tenant
Before letting	<ul style="list-style-type: none"> • Get property in good order • Professional clean • Council tax (if furnished) • Legal paperwork • Advertising (if applicable) 	
During tenancy	<ul style="list-style-type: none"> • Letting agent's fee (if applicable) • Building insurance • Maintenance • Service charges (if applicable) • Income tax on rent less costs 	<ul style="list-style-type: none"> • Rent deposit • Rent • Contents insurance • Council tax • Utility bills
End of tenancy	<ul style="list-style-type: none"> • Return deposit in full or part depending on necessary repairs 	<ul style="list-style-type: none"> • Professional clean (if agreed to in the tenancy agreement)

10 Do I have access to my property while it is let?

Yes, with prior agreement from the tenant. You cannot just turn up and let yourself in - it is now their home.

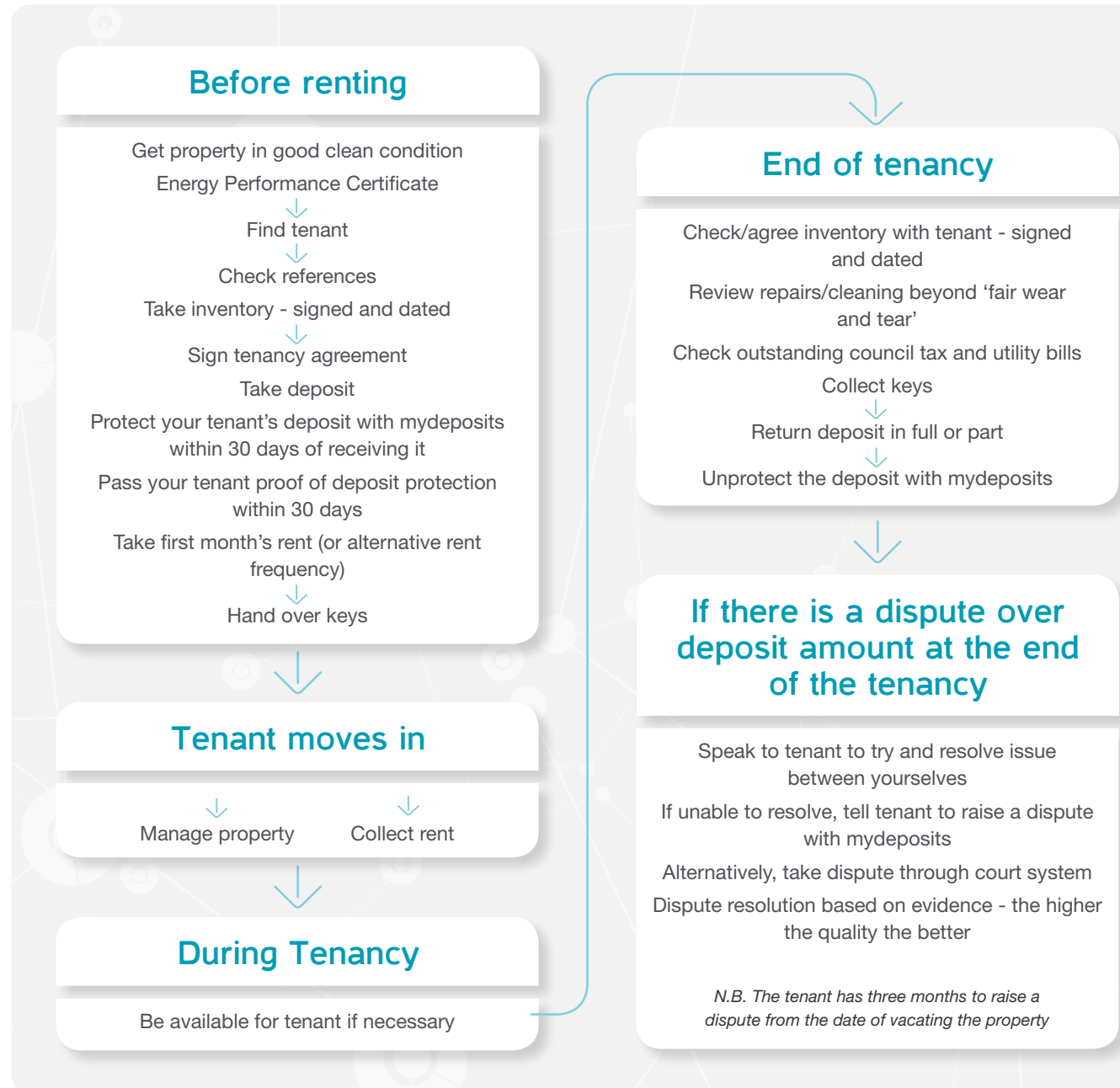
11 What if I want my property back earlier?

Unless the tenant has broken the terms of the rental agreement, you cannot terminate the tenancy agreement early without the tenant's consent. Similarly, if the tenant wants to terminate early, it can only be done if you agree. You could include a reasonable break clause in your AST agreement to cover this situation.

12 What happens at the end of the lease?

If all goes smoothly, you check the original inventory; any necessary repairs beyond fair wear and tear; and that outstanding bills have been paid, then return the deposit minus any relevant costs.

Should there be a dispute over the deposit, and you have used mydeposits to protect the deposit, they will provide free dispute resolution. Alternatively, you can seek independent legal help.



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