

## Landlords Complete Guide To Letting

### Thinking of Letting Your Property?

Letting your property can often be a very difficult and stressful experience and legal documents may be confusing. The decision to let your property is a major one and not something to be taken lightly.

It is therefore important that you engage the services of a professional establishment. Our aim at Charles Hamilton is to provide you with a service tailor made to suit your requirements.

### Market Appraisal

Once you have made the decision to let, a member of our lettings team will arrange to visit your property to give you an accurate rental valuation and to take photographs.

### Marketing

In order to maximise exposure for your property details & photographs will be uploaded on to our website and also all the major property portals including Primelocation, Findaproperty, Rightmove & Zoopla. Our proactive lettings team will contact, either by phone or e mail, all applicants previously registered. We also have a database of corporate clients & relocation agents who are constantly looking for quality rental properties.

### Viewings & Negotiation

All viewings will be accompanied by one of our experienced & knowledgeable lettings professionals who will highlight all the positive aspects of your property, including proximity to transport links, shops, leisure facilities etc. We will put all offers forward to the landlord as soon as we receive them and negotiate with the applicant to achieve the highest possible rent for the property.

### Progressing The Tenancy

Once we are in receipt of a holding deposit and the offer has been accepted the applicants will be referenced, this can be completed within an hour if necessary but more usually with 48 hours. As soon as suitable references have been returned Charles Hamilton can draw up the tenancy agreement & arrange for tenant to pay the balance on monies. Keys will be handed over on the start date of the tenancy only if we have cleared funds. Before the tenants move in we can arrange for a professional inventory to be compiled followed by a check-in report, when meter reading will be taken.

### Inventory

Since the introduction of statutory Tenancy Deposit Schemes on 6th April 2007 it has never been more important to have an up to date and accurate inventory.

A professionally compiled inventory provides a written benchmark, which should be amended, updated and recreated before the beginning of each new tenancy. A properly constructed Inventory/Schedule of Condition details the fixtures and fittings and describes their condition and that of the property generally. Charles Hamilton can arrange for both a professional inventory and check-in schedule of condition to be carried out.

## **The Tenancy Deposit Scheme**

Legislation introduced on 6th April 2007 requires landlords to register deposits taken for properties let on an Assured Shorthold Tenancy. Charles Hamilton is a member of two of the government approved schemes, The Deposit Protection Service and My Deposits, and can arrange for tenants deposits to be registered.

## **Safety Issues**

### **Gas**

The landlord is legally required to provide an annual Gas Safety Certificate for any gas appliances or boilers in the property. These certificates can only be issued by an engineer registered on the Gas Safe Register. Failure to hold a current certificate is a criminal offence and could lead a fin of up to £20,000, imprisonment or both.

Approved carbon monoxide detectors are strongly recommended, although these must not be used as a substitute for regular checks and servicing by a registered engineer.

### **Electricity**

Landlords have a duty to ensure that all electrical equipment supplied by them is safe for tenants to use. Charles Hamilton can arrange for a NICEIC and PAT (Portable Appliance Test) using one of our reliable contractors.

### **Smoke Detectors**

The Building Regulations (1991) state that all properties built since June 1992 must be fitted with mains operated interlinked smoke detectors/alarms with at least one detector per floor level. There is no legal requirement to provide smoke alarm in older properties except for HMOs (Houses in Multiple Occupation), however it is strongly recommend that landlords provide a minimum of one battery operated smoke alarm in each property.

### **Furniture & Furnishings**

As from 1st January 1997 all furniture in tenanted residential property must comply with the 1993 amendments to the Furniture and Furnishings (Fire) (Safety) Regulations 1988 which extends the scope of the Consumer Protection Act 1987 (CPA). This covers the supplying (hiring or lending) of specified goods (upholstered furniture and certain furnishings) "in the course of business".

### **House in Multiple Occupation (HMO)**

An HMO is usually considered to be any property which is occupied by more than four people who are not related. Landlords are required to apply for a licence from the relevant Local Authority for all such properties.

### **Energy Performance Certificate**

Since 1<sup>st</sup> October 2008 it has been mandatory for all rental properties being marketed to have and Energy Performance Certificate (EPC). This provides a rating for the property showings its official energy efficiency and environmental impact on a scale from A – G (A being the most efficient).

### **Taxation**

Charles Hamilton is required to deduct basic rate tax and account to HMRC for all overseas Landlords unless we have confirmation from HMRC that this is not necessary.

## **Frequently Asked Questions**

### **What is included in the rental?**

The landlord is generally responsible for paying any service charge and water rates where applicable. The tenant is responsible for gas, electricity, telephone, council tax charges and water if metered.

### **Who transfers the utility supplies?**

These will be registered in the tenants name during the tenancy. It is important that both you and the tenant notify the authorities at least 48 hours before occupancy and take meter readings at the commencement of the tenancy. We will confirm all transfers in writing however we stress that the authorities will not always take instructions from ourselves.

### **Should my property be furnished or unfurnished?**

There is currently a greater demand for furnished properties, however if you are able to be flexible about furnishings this can be more attractive to applicants. All furniture must comply with current legislation detailed in under the heading Safety Issues above. Charles Hamilton can arrange for the purchase of furniture packs of varying standards at very competitive prices.

### **Who will reference the applicants?**

It is important to have the applicant professionally referenced, we do this through FCC Paragon, who are a recognised independent agency independent carry out thorough checks including credit report, employer, character & previous landlord reference.

### **How long is the tenancy agreement for?**

This will vary according to the tenant's requirements and type of agreement being used. Most agreements are between 6-12 months; however some companies may request options to renew the agreement for a further period of 1 or 2 years. These would be subject to specified rent increases.

### **How much deposit is collected?**

We request a deposit equivalent to 6 weeks rent from all tenants, this is security against damage etc. At the end of the tenancy the deposit is returned to the tenant less charges for any damage.

### **Will letting affect my insurance policy?**

It is the responsibility of the Landlord to ensure that the property and its contents for the entire period of the tenancy are adequately insured. There should also be suitable cover for any period during which the property may stand empty. We suggest that you advise your insurance company of the proposed letting at an early stage in order that the cover of the property is not prejudiced in any way. Failure in informing your insurance company that the property is being let may result in the company refusing to meet a claim.

## **Do I need to tell my mortgage company and freeholder?**

If the property is subject to a mortgage it is your responsibility to seek consent, in writing, from the mortgagee. It is wise to obtain permission in principle prior to marketing your property to avoid unnecessary delays when negotiating a tenancy.

If you are a leaseholder it is important that you obtain approval from your freeholder/management agent to sublet so as not to invalidate your lease. We will be happy to advise them on these matters. These requests are not normally refused.

## **Who is responsible for repairs?**

Under existing legislation landlords are responsible for all repairs to the property and its contents except when a repair is necessary due to a tenants misuse. If we are managing a property we will arrange for the work to be carried out by one of our approved contractors.

## **Who is responsible for external maintenance?**

External decorations & maintenance are the responsibility of the landlord. However, if the property has a garden the tenant is usually responsible for its upkeep, but the landlord must provide the required necessary tools.

## **Summary Of Landlords Responsibilities**

- To keep the property in a good state of repair, and ensure that is clean at the beginning of every tenancy.
- To pay any ground rent and services charges relating to the property
- Provide copies of Gas Safety Certificate, EPC and to ensure that furniture complies with current legislation
- Ensure that permission has been given to let the property by the mortgage provider
- To ensure that both buildings & contents insurance policies allow for the property to be rented
- Pay council tax and utilities including water rates for any period that the property is untenanted