

# Ready to Rent:

Be clear on fees and licensing in England, Wales and Northern Ireland



## Fees and Licensing

There have been a number of changes in the law that regulates fees, registration, and licensing for landlords across England, Wales, Scotland and Northern Ireland.

### Letting agents' fees:

Letting agents in **England** and **Wales** must tell you about their fees upfront on their website and in their offices. It is against the law for them to mislead you about their fees, and they must inform you of the total cost of the fees including VAT, as well as what the fees cover. In **Northern Ireland**, it is not currently mandatory for letting agents to display their fees.

These are the sort of things lettings agents may charge you for:

- Creating the tenancy agreement or contract
- Credit reference checks
- Personal reference checks, from your employer or former landlord
- Completing an inventory for the property
- General admin, like postage, phone calls relating to setting up your tenancy
- You may also be charged for a Right to Rent immigration check

You will also likely be asked to pay the following fees before you can move into a property:

- Your first months' rent in advance
- A tenancy deposit – which must be protected in a government scheme

When your tenancy is coming to an end, you may also be charged for the following:

- Having the property professionally cleaned
- Renewing or extending the tenancy
- A check-out appointment, or property inspection



## Registration:

In **Wales**, all private landlords must be registered with the central Landlord Registration System. The registration process checks whether the individual passes a 'fit and proper person' test which verifies whether they have any previous convictions for a range of offences including fraud, antisocial behavior and harassment.

Tenants can check whether their landlord is registered before you agree to move in or sign a tenancy agreement. You can do this by checking the online search facility on the Rent Smart Wales website <https://www.rentsmart.gov.wales/en/> or you can phone 03000 133344.

In **Northern Ireland** all private landlords must be registered with the central government scheme. Tenants can check whether their landlord is licensed online at <https://www.nidirect.gov.uk/articles/landlord-registration-scheme>

In **England**, some local authorities have introduced landlord registration schemes, however it is not a legal requirement across the country. Visit your local authority's website, or speak to your students union, to find out whether a scheme is operating in your area.

## Licensing

An HMO (house in multiple occupation) is a property occupied by three or more tenants who are not members of the same family, who share communal facilities like a bathroom and kitchen. HMO landlords must have a license from the local council. This ensures that the property is managed properly and meets certain basic safety standards.

To find out whether your property has an HMO license, ask your landlord or contact your local council.

It is an offence in **England** and **Wales** to operate an HMO without a license and landlords can face fines and other penalties if they are caught. Similar legislation is due to be introduced in **Northern Ireland** soon.

From autumn 2016 landlords in **Wales** that let their properties directly, and letting agents, must be licensed under the Rent Smart Wales scheme. Tenants can check whether their agent or landlord is registered on the Rent Smart Wales website <https://www.rentsmart.gov.wales/en/>

In **England**, some local authorities have introduced landlord licensing schemes, however it is not a legal requirement across the country. Visit your local authority's website, or speak to your students union, to find out whether a scheme is operating in your area.



## Check your deposit is protected

Your landlord must put your deposit in a government-backed tenancy deposit scheme if you rent your home on an assured shorthold tenancy.

In **England** and **Wales** they must notify you within 30 days that your deposit is protected and which scheme they have used, there are three schemes:

- Deposit Protection Service (Custodial and Insured)
- MyDeposits - including deposits that were held by Capita
- Tenancy Deposit Scheme

You can find more information on the Gov.uk website (<https://www.gov.uk/tenancy-deposit-protection/overview>)

In **Northern Ireland** the landlord or agent must notify you within 28 days of receiving your deposit that it is protected, and let you know which of the three following schemes they have used:

- Tenancy Deposit Scheme Northern Ireland (TDS)
- My Deposits Northern Ireland(external link)
- Letting Protection Service NI (LPSNI)

You can find more information on the NI Direct website (<https://www.nidirect.gov.uk/articles/tenancy-deposit-scheme-introduction-tenants>)

