

Ready to Rent Trainers’ Guide: Signing Contracts

Scotland Version

Workshop Aim & Outcomes

Ready to Rent is a training programme designed to give students the knowledge and confidence needed to find good quality housing and assert their rights as renters. By the end of this workshop students should understand what it means to sign a contract and how to ensure their rights are protected in it.

Workshop Length

This workshop is designed to take 50 minutes.

What you will need

All workshop resources can be downloaded to print from the Ready to Rent Hub. There is a pack of resources for trainers in England, Wales and Northern Ireland, and a pack for trainers in Scotland. Please ensure you download the appropriate resources for this guide (England, Wales and Northern Ireland version).

* PowerPoint slides
* **For Contract Hunt Activity:** Copies of sample contract (two copies per group), sets of Contract Hunt Instruction Sheets cut into three separate questions (one set per group)
* Film: Tenancy Tips

In addition you will need to provide:

* Pens
* A projector and computer able to play sound
* A prize for the contract game (optional)

Participants

This workshop is designed for 6-40 participants. However, activities can be adapted to work for a smaller or larger number of participants, see Tips for Trainers on the Ready to Rent Hub for suggestions.

Room set-up

The room should be set up informally, ideally with chairs in a circle. For the Race to Rent activity you will need to set up tables with clusters of chairs around the room.

Understanding this Guide

*Suggestions for what to say are in italics*

**[Opportunities to add local information and details of what your Students’ Union offers are included in square brackets]**

**“References to other documents are shown like this“**

Overview of workshop content

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| **Section** | **Content** | **Objective** |
| **Introduction** | Activity: Spectrum Line | * Identify levels of confidence amongst participants * Set the tone of the training and encourage participation |
| Introduction to course content | * Highlight prevalence of difficulties faced by student renters and importance of knowing rights * Set expectations for training |
| **Signing contracts** | Introduction to signing contracts | * Increase understanding of what it means to sign a contract, to sign a joint contract, and to have a guarantor |
| Film: Signing a contract | * Increase understanding of what should and shouldn’t be in a contract |
| Activity: Their Responsibility or Mine? | * Increase understanding of tenants and landlord’s legal rights and responsibilities |
| Activity: Contract Hunt | * Develop skills in identifying unfair clauses * Develop confidence in challenging what is in a contract |
| **Summary** | Spectrum line | * Enable students to reflect on what they have learnt |
| Wrap-up and Sign-posting | * Direct students to further resources * Encourage students to complete online evaluation * Encourage students to join other Ready to Rent workshops and to take part in collective organising |

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| **Time** | **Activities** | **What you will need** |
| **Introduction** | | |
| 10 mins | **Introduce aims of the course:**  *This course is all about giving you the knowledge you need to sign a tenancy contract with confidence. To begin it would be good to get an idea of the experiences of everyone in the room.*  **Activity: Spectrum line**   * Ask participants to stand on an invisible line according to how confident they feel about asserting their rights as renters, with one end of the line being extremely confident, and the other being not at all confident. * Ask a couple of participants at different ends of the spectrum to explain why they are standing where they are. * Thank them for sharing and ask them to take their seats   **Introduction to course content:**  *NUS have designed this training because of a recent piece of research they conducted which found that fewer than half of student renters felt they knew their rights as tenants, and two-thirds felt unsupported in their attempts to rent.*  *This has left students without the skills to avoid irresponsible landlords and letting agents, or to address problems when they arise.*  *As a result, a quarter of students surveyed felt dissatisfied or very dissatisfied with the management of their home and many reported problems with getting their deposit back.*  *This workshop aims to help you have a good experience in rented housing. In this training we will focus on what should and shouldn’t be in a contract.*  *This workshop won’t cover all the issues that might arise in signing contracts in detail, but it will equip you with some key skills and direct you to organisations and resources if you want to explore issues further.*  *It will focus on the rights of people renting under Short Assured Tenancies in Scotland which are the most common form of tenancy in the private rented sector. Use* ***Shelter’s online “Tenancy Checker”*** *if you’re not sure what you’re being offered. If you’re living with your landlord or renting from the university you may have a different sort of contract and different rights, so seek advice from the Students’ Union Advice Centre or local advice service if you’re in this situation.* | Slide: Ready to Rent  Slide: The state of student renting in the UK  Slide: Workshop aims and objectives  Slide: Workshop focus |
| **Signing a Contract** | | |
| 5 mins | **Introduction to signing contracts**  *After the first workshop on house-hunting, now we’re going to move on to the next stage – once you’ve found the property you want, you’ll need to sign a contract.*  **Explain next slide:**   * *In this workshop we are focusing on Short Assured Tenancies, which are standard- seek advice if you are signing another type of contract! You should be given an AT5 notice before you sign the tenancy if you’re signing an SAT.* * *The key thing to remember about a tenancy agreement or contract is that they are legally binding documents, meaning that you need to adhere to their contents once you have signed them, including paying the rent even if you never move in!* * *However, once you’ve signed an SAT your Landlord cannot evict you without a court order, so contracts protect you as well as the Landlord.*   **Explain next slide:**   * *Joint contracts mean that you are all jointly liable for rent and other costs, as well as being individually responsible. This means that if someone else drops out and stops paying rent, the landlord could chase you for their rent. So make sure you are confident that signing a joint contract won’t cause issues later on* * *If you’re anxious about this you may want to try to negotiate to have individual contracts*   **Ask the whole group:**  *What might the cons of signing individual contracts be?*  **Explain next slide:**  *This table shows some of the pros and cons of signing joint or individual contracts- neither option is necessarily the best. While signing a joint tenancy leaves individuals jointly liable to pay the full rent for the property and to pay any deductions at the end of your tenancy from a shared deposit, it does mean you can control who you live with if a housemate drops out. If you sign individual contracts you may not be able to control who replaces a housemate.*  **Explain next slide:**   * *A guarantor is someone who your landlord can pursue if you don’t pay your rent.* * *If your contract requires a guarantor, don’t sign it before your guarantor has seen the contract and the guarantor form and agreed to sign.* * *This is particularly vital when you’re signing a joint contract. If you don’t make sure your guarantor’s responsibility for paying costs is limited, they may find themselves liable for your housemates' share of rent and damages if they don’t pay up, as well as your own.* * *So make sure you request that the guarantor form limits their liability to only your rent and other costs. You can find a* ***“Sample Guarantor Form”*** *on the Ready to Rent Hub which shows how this can be done.* | Slide: Signing a Contract  Slide: What does it mean to sign a contract?  Slide: Types of contract  Slide: Joint contracts  Slide: Joint vs Individual Contracts  Slide: Guarantors |
| 2 mins | **Film: Signing a contract**  **Explain:**  *It’s highly recommended to get your contract checked by your SU or another local advice service. However, this might not always be possible and it’s useful to know what to look out for in a contract- what should and shouldn’t be in there. It’s also crucial to read it thoroughly so you know what’s your responsibility, and what’s the landlord’s.*  *We’re going to watch a short film about signing a contract. Watch it carefully because you’ll need the information in it for the next activity.*  **Show Film: Signing a Contract** | Film: Signing a contract |
| 10 mins | **Activity: Their Responsibility or Mine?**  Ask students to stand up in the middle of the room. Ask them to move to one end of the room if they believe the task you are about to describe is the landlord or letting agent’s responsibility, and the other end if they believe it is the tenant’s responsibility, or somewhere in the middle if they are unsure.  Read the following responsibilities one at a time, giving the students time to move around the room. After each responsibility, ask the students to state why they answered as they did. Where there is disagreement, ask for students with different opinions to share their reasoning, and then clarify who would have responsibility in different scenarios. Where students answer correctly, outline why this is the case.   * **Who has responsibility for fixing the boiler?**   *Answer: The Landlord. The landlord has to meet the Repairing Standard outlined in your tenancy information pack. This outlines their responsibility to carry out certain repairs relating to the structure and exterior of the building, including those relating to heating and hot water within a reasonable timeframe.*   * **Who has responsibility for replacing batteries in smoke alarms?**   *Answer: The Tenant. The tenant is responsible for taking care of the property on a day-to-day basis.*   * **Who is responsible for getting rid of mould?**   *Answer: It depends on the cause of the mould. The tenant is responsible for taking reasonable steps for reducing condensation which may lead to mould, such as ventilating rooms and turning the heating on. However, where mould is the result of structural damage, such as broken guttering, this is the Landlord’s responsibility to fix.*  **True or False:**  Using the same format as above, but with one end of the room as “True” and the other “False”, ask the students to decide whether the following statements are true or false. Again ask why the students have chosen their answer and clarify any disagreement.   * The landlord can evict you for throwing a massive party   *Answer: In some cases, yes. A landlord may be able to evict you before the end of a fixed term Short Assured Tenancy if they can prove in court that you have breached your agreement by causing a nuisance to others. If you have stayed after the end of your fixed term contract then a landlord can evict you more easily but they still need to get a court order. Landlords do have responsibility in Scotland to take action to prevent Anti-social behaviour in their properties, and this action might include writing to tenants, giving advice on reducing noise or threatening eviction.*   * The landlord can request that you don’t drink alcohol in the property   *Answer: False. You have what is called the right to ‘quiet enjoyment’ of the property if you have a Short Assured Tenancy. This means that even if terms such as this are contained within your tenancy agreement, it could be argued that it is unenforceable as it undermines your basic right to live in the property freely. This may be different if you live with your landlord.*   * The landlord has the right to access your home any time   *Answer: False. The Landlord must give you 24 hours notice before visiting the property or sending any contractors round except in an emergency* | Slide: Their responsibility or mine? |
| 15 mins | **Activity: Contract Hunt**  **Explain next slide**  This is a sample of an SAT contract similar to one you might be asked to sign, although it’s likely that you might receive a much more detailed document.   * The first few pages (pages 1-3) contain the particular details of this agreement including who the tenants are and how much the rent and deposit are * Pages 4-5 describe the tenants’ obligations * Page 6 describes the landlords’ obligations. Often this part will be a lot shorter that the tenant’s obligations, but it’s important to remember that the landlord’s legal obligations still apply even if they’re not in the contract   Page 7 describes the landlord’s grounds for possession or eviction of tenants.  Organise students into groups of 3-5 and ask them to find a space in the room. Let them know that they have a series of things to find in the contract in front of them, and that the aim is to race other groups to find them and bring them to you. Explain that you will give them all a sheet of paper with the first instruction for what to hunt for, and that once they have completed the sheet they must bring it to you in order to receive the next instruction, until the final instruction sheet is completed. Remind them that the landlord’s obligations still apply even if they’re not mentioned in the contract, though it is useful to have them included.  Show them the clues slide with a summary of the landlord’s obligations and encourage them to use it to help them.  Begin the game by asking a representative from each group to come to you to receive the first instruction. Once the game has begun, check that the answers each group brings to you are correct, and if they are, give them the next instruction sheet. Give the instruction sheets in the following order:   * **3 Things to add:** missing pieces of information they want added to the contract * **3 Things to ditch:** terms they think are unfair or unreasonable that they would get rid of or alter. An unfair term is one that creates a significant imbalance in the rights and responsibilities to the detriment of the renter, and is “contrary to the requirements of good faith”. * **3 Things to see:** other documents they want to see or things they want to do before they sign the contract   If a group’s answers are incorrect, send them back to the group to find the correct item. The winning group is the group to bring to you the final instruction sheet with the correct answers.  Once all the groups have completed the game, talk through the answer slides. Ask the groups to put their hand up if they identified an item, and highlight anything that none of the groups identified. Use the trainers’ **“Annotated Sample Contract”** to give further details on specific terms that are raised.  **Things to add should include:**   * Name & address of Landlord * Name of deposit protection scheme and the terms under which money would be deducted * When rent is due and how it can be paid * Any details on improvements or repairs that have been agreed   **Things to ditch should include:**  **7.8: “The Tenant must not make any noise in the property after 11pm”:** Suggest that a term stating that tenants don’t do activities that may reasonably considered a nuisance to neighbours would be fair  **7.13: “The Tenant will be liable for the first £100 cost of any repairs”:** This should be challenged as the landlord has statutory repairing obligations  **7.18: “The Tenant must give the Landlord (or any person acting on behalf of the Landlord) immediate access  to the Property at all reasonable times of day”:** Unless it’s an emergency, you are entitled to 24 hours written notice  **7.19: “The Tenant must return the Property and any items belonging to the Landlord  in the same condition as they were at the start of the Tenancy”:** Fair wear and tear is acceptable so tenants shouldn’t be penalised for normal use-related damage  **7.20: “The Tenant must pay for the property to be professionally cleaned at the end of the tenancy”:** Worth challenging this - is it being professionally cleaned for you before you move in?  **Things to see should include:**   * An AT5 form to show you are signing an SAT * Energy Performance Certificate * Gas Safety Certificate   Where relevant:   * Guarantor form: Make sure guarantor liability is limited to the individual tenant’s share of rent * HMO license * Accreditation documents   *When you hand over a deposit you should receive a receipt and get confirmation that it is protected within 30 working days. You should also be given a tenant information pack by the start of the tenancy. Finally, you should get an inventory when you move in, which you should check for accuracy. If you don’t receive one, make your own and take dated photos.*  Let students know about the **“Contract Check-list”** on the Ready to Rent Hub that will help ensure they don’t miss anything | Slide: Contract Hunt  Slide: Contracts: What’s in them  Copies of contract for Green House (at least 1 between 3)  Slide: Contract Hunt: Clues  Slide: Things to add  Slide: Things to ditch  Slide: Things to see |
| **Summary** | | |
| 3 mins | **Activity: Spectrum line**  Repeat the first activity, thing time asking how confident students feel about renting after taking part in the training.  Ask people who are standing in a different position on the line compared to at the start of the workshop to explain why they feel more or less confident.  Thank them for their feedback and ask them to sit down. | Slide: Spectrum line |
| 5 mins | **Wrap-up and signposting**  Thank participants for attending.  Let them know that the resources they have used today along with much more advice can be found on the Ready to Rent Hub which they can access anytime.  **[Include any additional guides or support your SU can provide]**  Remind them of the other Ready to Rent workshops and the ways they can get involved in collective organising, through a local renter rights group or tenants’ union, or by organising with other tenants in your SU.  Explain that we’re looking to improve the experiences of students in rented accommodation, and to make sure we are doing this we really need their feedback. Ask them to complete the online evaluation. | Slide: What next? |