

**A GUIDE TO
RENTING A HOME IN
WALTHAM FOREST**

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GETTING STARTED

The best place to start your search is online and there are many websites that you can use to find a property to rent.

Other places to look include:

- Local Estate Agents
- Noticeboards in supermarkets, newsagents, and libraries
- Facebook, Twitter, or other social media
- Asking friends or family
- Local newspapers.

PRE-TENANCY CHECKS

Contact the landlord to arrange a viewing. It is important to stay safe so consider taking someone else with you or tell someone where you are going and make sure you have noted the full address.

Before viewing the property check that the person advertising the property is who they say they are by doing an online search.

When at the property you can check that the agent or landlord are legitimate by checking ID, such as a passport. You can also have a look at the property on <https://www.street-view.net/> to check the surrounding area and make sure that it reflects the advertisement.

You should also check the rogue landlord database before you agree to view the property or sign an agreement <https://www.london.gov.uk/rogue-landlord-checker>



When viewing properties there are some questions you may wish to ask, for example:

- How much is the rent?
- Is rent paid weekly or monthly?
- How much is the deposit?
- Can I choose my room, if it is a shared property?
- Which tenancy deposit scheme is the landlord or agent using? (This is a legal requirement that ensures your money is protected in a separate scheme, ready to be returned at the end of your tenancy.)
- Are any rooms shared with other tenants/people?
- Does the rent include gas/electricity or water rates? Is anything else included?
- Where are the meters located?
- What furniture is provided?
- Is there a washing machine?
- Is there kitchen equipment?
- Can I use the garden?
- Who is the landlord or letting agent and how should I contact them?

Make sure you ask about anything that is unclear, it is much easier to sort things out before you sign the tenancy and never sign an agreement before you have viewed the property.

RENTING WITH A LANDLORD DIRECTLY

Start by looking for landlords who belong to an accreditation scheme which means that your landlord will be required to comply with a code of practice such as:

The London Landlord accreditation scheme <https://www.londonlandlords.org.uk/>

You can also ask for recommendations from friends/family who may also rent privately.

RENTING THROUGH AN AGENT

Choosing a good agent is important, especially if they are managing the property as they will be your point of contact throughout your tenancy. There are certain areas that you should check before making your decision.



- Look up the agent online to make sure they're legitimate.
- Agents must be registered with the Property Ombudsman or Property Redress Scheme, so ask them which one they're registered with and check the details.
- Find out if the agent belongs to any accreditation schemes who have a code of conduct for registered agents such as ARLA Propertymark, or National Approved Letting Scheme.

Before you choose your agent make sure that you understand how their maintenance system works. Is there an emergency number, can you report repairs online and how quickly will they respond? Also check if there are any extra charges for callouts.

AFFORDABILITY

It is important to make sure that you know what you can afford before you start your search for a new home to rent. You can use the online calculator at www.entitledto.co.uk to see if you are entitled to housing benefit, or the housing element of universal credit.



YOUR DEPOSIT

Your landlord may ask you to pay a deposit before you move in. This should be no more than the equivalent of five weeks rent and should be paid into a

Government approved scheme, where it will be protected until you move out. Always get a receipt for your deposit and the details of which scheme is being used.

FEES

Under the Tenant Fees Act 2019, there are regulations about the fees that a landlord or agent can charge you.

There are several fees that are 'permitted'. These include:

- The rent
- A refundable tenancy deposit capped at no more than five weeks' rent
- Payments associated with early termination of the tenancy, when requested by you
- Payments in respect of utilities, communication services, TV licence and Council Tax;
- Payments to change the tenancy when requested by you, capped at £50, or reasonable costs incurred if higher
- A default fee for late payment of rent and replacement of a lost key/security device giving access to the housing, where required under a tenancy agreement.

If the payment a landlord or agent is charging is not on this list it may be a breach of the legislation.

Landlords and agents are NOT able to charge fees, for example, for:

- Property viewing
- Referencing
- Administration charges
- Guarantors (this can be a condition of the tenancy, but no charge can be made)
- Inventory checks (both check in and check out)
- Right to Rent checks (the landlord or agent are liable for this cost, unless the tenant fails the check).

For further guidance visit www.gov.uk/government/publications/tenant-fees-act-2019-guidance

TYPES OF PRIVATE TENANCY

Most new private tenancies are Assured Shorthold Tenancies (AST). However, the type of tenancy that you have will depend on a number of factors. Different types of tenancies give you different rights and you can use Shelter's tenancy checker to check your tenancy type and to find out more you can visit www.shelter.org.uk

Shelter

YOUR TENANCY AGREEMENT

This is the written contract between you and your landlord or agent that sets out the legal terms and conditions of your tenancy. The tenancy agreement gives you a set of rights which your landlord or agent must adhere to. This protects both you and your landlord.

Before you sign any tenancy agreement you should:

- View the property
- Check that the property is licensed, if it is required to be so
- Check the inventory and inspect the property yourself, taking photos to record the condition before you move in
- Raise any issues about repairs or work that needs to be carried out in writing and get agreement from the landlord/agent before you move in
- Take a meter reading before you move in to make sure you are not paying the previous tenants' bills
- Take a note of the contact details for the landlord or agent, including a telephone number you can use in case of an emergency. (You are legally entitled to know the name and address of your landlord)
- Finally, take your time to carefully read through and ensure that you are happy with the terms of the tenancy agreement before you sign it.

In addition to your tenancy agreement, your landlord should provide you with a valid gas safety certificate (where gas is supplied to the property), an Energy Performance Certificate (EPC) and a copy of the Government's How to rent guide.

WHAT SHOULD THE TENANCY AGREEMENT CONTAIN?



Read your tenancy agreement carefully. It should include the following information:

- Type of tenancy
- The landlord's name and contact details and your name as the tenant
- The address of the property
- The rent payment instructions including the date when it should be paid and any arrangements to review it
- The deposit amount and any conditions for withholding for damages
- How any repairs will be organised
- The date your tenancy ends or comes up for renewal
- Any rules around children, pets or smoking
- Who must pay for the gas, electric, water and Council Tax.

Your landlord is required to ask all new tenants for a reference. It is up to them to decide whether they will accept this reference and they may refuse your tenancy based on a poor reference.

YOUR RIGHTS AS A TENANT

If you are a tenant in a private rented property you have certain rights and responsibilities. As a tenant, you have the right to:

- Live in a property that's safe and in a good state of repair
- Have your deposit returned when the tenancy ends, minus any charges for damages or overdue rent
- Challenge excessively high charges
- Know who your landlord is

- Live in the property without unnecessary interference
- Protection from unfair eviction
- Have a written agreement if you have an AST.

In addition to your tenancy agreement, your landlord should provide you with a valid gas safety certificate (where gas is supplied to the property), an Energy Performance Certificate (EPC) and a copy of the Government's How to rent guide.

YOUR RESPONSIBILITIES AS A TENANT

As the tenant, you have certain responsibilities. you must:

- Provide your landlord with a reference
- Pay your bills for utilities and other services to the property on time, unless these are included in your rent
- Pay the rent on time according to your tenancy agreement. If you fall behind with the rent the landlord has the right and may take steps to evict you
- Look after the property and report any repairs in a timely manner; ensure that the property is well ventilated and carry out minor repairs such as checking your smoke alarms or changing light bulbs
- Ensure that your waste is disposed of properly, your landlord should provide you details of when your rubbish should be collected or you can check on the Council website here <https://www.walthamforest.gov.uk/content/bin-collection-days>

- If you live in a block of flats, ensure no bulky waste or rubbish bags are placed outside of the communal bin area
- Keep communal areas including gardens, tidy and keep the property reasonably clean and carry out some minor repairs (see below for details)
- Not sub-let your property unless this is allowed in your tenancy agreement
- Be considerate to your neighbours, keep noise to a minimum and not allow other anti-social behaviour to take place at the property.

You should also:

- Make sure you know how to operate the boiler and other appliances and know where the stop cock, fuse box and any meters are located
- Report any need for repairs to your landlord. There will be a risk to your deposit if a minor repair turns into a major problem because you did not report it to the landlord.

YOUR LANDLORD'S RESPONSIBILITIES

Your landlord has certain responsibilities too, they must:

- Provide you with a receipt for your deposit and details of the deposit protection scheme used
- Provide you with a copy of the Government's How to rent guide
- Provide you with the gas safety certificate if the property has any gas appliances or a gas boiler. This should be renewed annually
- Ensure that the property, as well as any appliances or furniture supplied, is properly maintained.
- Carry out repairs to the property when required (see below for more details)
- Comply with the law and treat you, the tenant fairly
- Take reasonable action to deal with anti-social behaviour in relation to the property
- Ensure that they comply with the licence conditions specific for the type of property, if applicable. Look at the council website for the property standards for your home.

REPAIRS

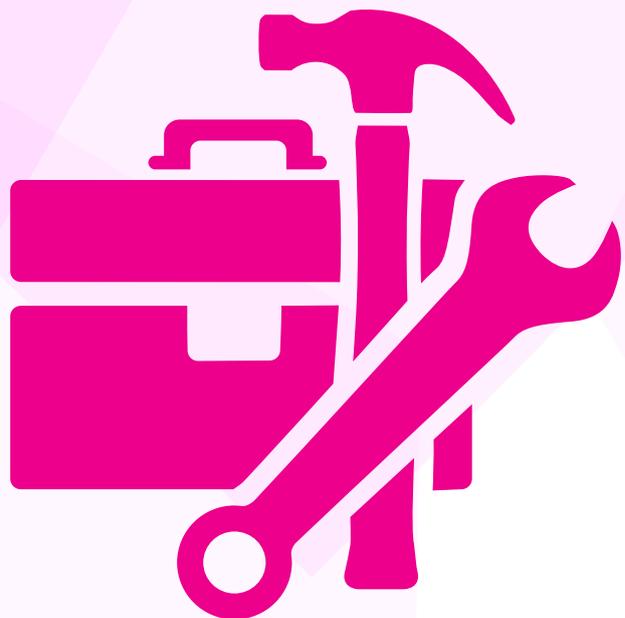
Tenant repair responsibilities: You are responsible for

- Carrying out minor repairs such as replacing light bulbs or clearing a blocked sink
- Covering the cost of any damage caused by you or a visitor to the property.

Landlord repair responsibilities: Your landlord is responsible for

- Carrying out general repairs to the property such as repairs to the structure and exterior, plumbing and heating systems, electrical wiring and gas piping.

This is not an exhaustive list but is an example.



PROPERTY LICENSING IN WALTHAM FOREST

Property licensing helps the Council to ensure that your home is safe, well maintained and is properly managed. We operate three schemes that cover most rented properties in the borough. Selective licensing applies to 18 wards in the borough (except homes in Endlebury

and Hatch Lane wards.) Additional and Mandatory HMO licensing schemes operate in all wards across the borough. Find out more information about these schemes and check that your property is licensed at <https://www.walthamforest.gov.uk/content/property-licensing>

SUB-LETTING



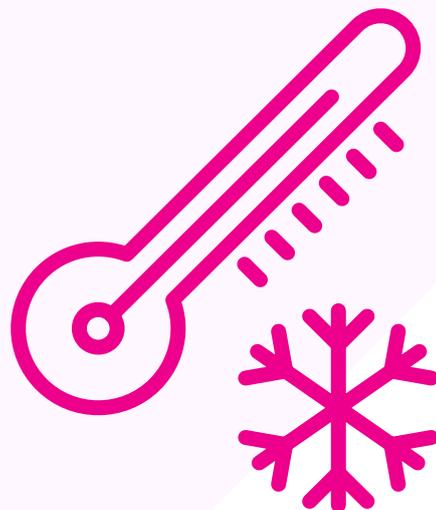
The name and contact details of your landlord should be on your tenancy agreement. If you are dealing with an agent, landlord or a tenant who does not own the property make sure that you get signed paperwork from all parties as sub-letting rooms within a house can be fraudulent. It is important to ensure that the person that you are paying rent to has the legal right to let the property. It is illegal to sub-let Council property. If you have a suspicion that a Council property is being sub-let, please contact a member of our Fraud Investigation Team by calling **0300 003 1099**, email fraud@walthamforest.gov.uk or online www.walthamforest.gov.uk/reportfraud.

You can check whether a property is social housing and is being illegally sublet by visiting <https://www.ilatch.co.uk>

FITNESS FOR HABITATION

All homes should be 'fit for human habitation', which means that they are safe, healthy and free from defects that could cause you or anyone else in your household serious harm. For example, if your house or flat is too cold and you can't heat it as this can affect your health.

You can check on the Government website about Fitness for Habitation and the Homes Act



COMPLAINTS

It is always best to contact your landlord or agent to try to resolve any issue where possible. Always put your complaint in writing, such as an email to your landlord and make it clear how you would like it to be resolved

If you are worried about a hazard in your home or your home is unfit, you should report it to your landlord immediately. Always allow your landlord a reasonable amount of time and appropriate access to carry out any remedial works.

If there is a problem in the house that you rent, and your landlord isn't dealing with it satisfactorily, you can tell us about the problem by contacting the team at propertylicensing@walthamforest.gov.uk.

Some examples of hazards your landlord should deal with immediately:

- A broken boiler, heating and hot water
- Exposed electrical wiring
- A build-up of mould and damp
- Rats, pests or other infestations
- The property's structure and exterior, for example, damage to walls, stairs or ceilings
- Basins, sinks, baths and other sanitary fittings, including pipes and drains
- Gas appliances, pipes, flues and ventilation

HARASSMENT



You must give your landlord reasonable access to inspect your property to carry out maintenance. They should give you at least 24 hours' notice before they access the property. They should not let themselves in without your permission or remove any of your possessions. They should not use abusive language or violent threats.

The landlord should not disconnect the gas, electrical or water supply. Any of the above behaviour could be considered harassment and may be a criminal offence.

EVICTION

There is a legal process that your landlord must follow if they wish end your tenancy before the expiry of the term. This means that they will need to serve you with a notice, usually a Section 21 Notice or Section 8 Notice if you are in breach of your tenancy. Once the notice expires your landlord is required to apply to the court for possession of the property if you don't move out during the notice period. Always try to give yourself enough time to find a new property before you agree to move out.

You can contact the Property Licensing Team if you are threatened with eviction or worried about being made homeless. We work with tenants with complex housing issues www.walthamforest.gov.uk/homelessness-how-we-can-help-you

RENT ARREARS

Your landlord can evict you if you fall behind with your rent. If you're in rent arrears or having difficulty in paying your rent, you can get advice from the following:

- Money Advice Service
- Shelter
- Citizens Advice



WHAT HAPPENS IF YOU WANT TO END YOUR TENANCY?

If you decide that you want to move out of the property you will need to give your landlord a notice to quit. Check your tenancy agreement for the period of notice that you should give.

If you leave a property without serving notice, or whilst under the initial term of your tenancy, you may still be liable for rent. If you decide not to move out at the end of a fixed term tenancy it can become a periodic or rolling tenancy or you may decide to sign a new agreement.



NEW TO WALTHAM FOREST

If you have just moved into Waltham Forest, the Council website provides a whole range of information to help you understand about services and facilities available in the borough.

<https://www.walthamforest.gov.uk/>

MORE INFORMATION AND USEFUL CONTACTS

You can find out more information about renting a property in Waltham Forest by visiting our website and for help and advice about property licensing you can also contact the team at propertylicensing@walthamforest.gov.uk.

For more information about housing advice and homelessness visit <https://www.walthamforest.gov.uk/service-categories/housing>

General housing advice can also be found at www.citizensadvice.org.uk and www.shelter.org.uk

Waltham Forest Housing Advice;
020 8496 3000

Citizens Advice Consumer Services;
03454 040 506

For legal advice, a list of law centres in London can be found at www.lawcentres.org.uk.