

haart

Guide to tenants rights

When renting a property it is extremely important to know your rights. The haart guide to tenants rights will help outline what is the responsibility of the tenant and what is the responsibility of the landlord



Types of tenancy

- Most people who rent their home are in an assured shorthold tenancy (AST), but other agreements do exist which have different levels of rights.

Assured shorthold tenants

- Since February 28, 1997, a tenancy will automatically be an assured shorthold tenancy provided the tenant is a private individual who pays rent (totalling less than £100,000 p.a.) to a landlord who does not live in the same building. The property needs to be the tenant's main residence.
- This will also be the same if they moved in after 15 January 1989 and were given a notice informing them they were assured shorthold tenants.
- The law provides basic rights and other conditions may be added into the tenancy agreement to be signed by the tenant and landlord.
- A tenant has the right to live in their home without being disturbed. The landlord and other people cannot enter freely when they wish and must seek permission to visit – typically at least 24 hours at a mutually convenient time.

Rent and repairs

- An agreed rent must be paid on time or landlords may take court action to have tenants evicted.
- Landlords are required by law to carry out repairs that keep the building in good condition, keep gas, electricity, heating and water equipment up to scratch and do other agreed work.
- Landlords must by law do repairs to keep the building in good condition, keep gas, electricity, heating and water equipment up to scratch and do other agreed work.
- Landlords must have a valid gas safety certificate for every gas appliance and furniture should be fire resistant.
- Tenants are responsible for looking after their home, which includes keeping it clean, and simple tasks such as changing bulbs and fuses.
- If repairs need to be done, tenants should inform the landlord. If the landlord refuses to do them it may be possible to force them to.

Notice and eviction

- A tenancy runs until it is ended by a tenant, or a landlord, through agreed surrender of the property, a notice being served, or eviction carried out.
- Tenants within a fixed-term can only end the tenancy during that time if their tenancy agreement says so. This will depend upon the agreed notice period.

Responsibilities

- With rights come responsibilities and tenants must keep within the terms of their tenancy agreement, which may have specific clauses inserted.
- General conditions mean rent should be paid, in full and on-time, bills sorted, good care taken of the property, tenants and visitors must behave responsibly, permission be granted for access when needed and requests be made for any repairs or extraordinary occurrences.
- Tenants should not leave their home empty beyond a certain period of time, usually up to a fortnight, without warning the landlord.