

# Life Stay

## LONDON

### LANDLORD ESSENTIAL

# COMPLIANCE GUIDE

#### HOW TO ACE THE COMPLIANCE GAME

*The insider tips and tricks for London landlords*

#### THE COMPLIANCE CHALLENGE

*How to stay on top of the rules and regulations in London*

#### NOTE

**"COMPLIANCE IS ESSENTIAL, BUT NOT DIFFICULT. WITH THE RIGHT GUIDANCE AND TOOLS, YOU CAN NAVIGATE THE COMPLEX AND EVER-CHANGING RULES AND REGULATIONS IN LONDON WITH EASE AND CONFIDENCE."**

DOWNLOAD



@lifestay.london



Name of tenant:

Property address:

Tenancy start date:

## PRE-TENANCY

*Tick all the boxes that applies*

### CONSENTS TO LET

- If there is a mortgage, is the necessary consent in place to allow the property to be let?
- Is there a specific landlord insurance in place?
- If the property is leasehold, ensure are there any covenants being breached
- As a landlord, are you registered with the Information Commissioners Office (ICO)?

### SAFETY LEGISLATION

- Furnishing and fire regulations:** Are all furniture Fire resistant ?\*\*
- Smoke & Carbon Monoxide Detectors:** Are the necessary alarms installed as per the current regulations? For e.g.: is there a working smoke alarm on each floor? Are there fire detection / smoke alarms on each floor ?\*\*
- Gas Safety Certificate:** Has this been completed by a Gas Safe registered engineer prior to the tenancy starting and a copy given to the tenant?  
Date of Expiry of Gas Safety Certificate : \_\_\_\_\_
- Electrical Installation Condition Report (EICR):** Is there a valid EICR certificate on the property and a copy given to the tenant at the start of the tenancy?  
Date of Expiry of EICR Certificate: \_\_\_\_\_  
\*\* Details of electrician: \_\_\_\_\_
- PAT test (Portable Appliance Test)** conducted on a portable appliances at the property, which are more than 1-year old? Date of Expiry of PAT test: \_\_\_\_\_
- Is there a valid **Energy Performance Certificate (EPC)** for the property with a rating of 'E' or above to comply with the **Minimum Energy Efficiency Standards (MEES)**?  
Rating of EPC: \_\_\_\_\_ Date of Expiry of EPC: \_\_\_\_\_
- HHSRS (Housing Health and Safety Rating System)** risk assessment on file ?  
Is there a **Legionella risk assessment** on file ?  
Is there a **Fit For Human Habitation (FFHH)** assessment on file?



## SETTING UP THE TENANCY

*Tick all the boxes that applies*

- Full references of the tenants on file.
- Financial viability, prior renting history and employment checks.
- Is Right to Rent valid at the start of the tenancy ?
- Time sensitive visas? If so, dates of expiry added to CRM system to check back ?

Right to Rent Checks on all over eighteen-year-old occupiers (failure to do this can result in a prison sentence and a hefty fine under the Immigration Act 2016)\*\*

- All personal documents are kept securely in line with GDPR Regulations.
- Proof that the prescribed information has been served to tenants within 30 days of receipt.
- Deposit moneys taken and protected with relevant scheme within 30 days of receipts.
- Proof that Gas Safety Certificate has been served to all tenants' pre-tenancy.
- Proof that EPC certificate showed to tenants pre-viewing and then given to all tenant's pre-tenancy.
- Proof that the latest version of the 'How To Rent' guide served to tenant's pre-tenancy.
- Proof of license has been issued with local authority.
- Proof that a copy of the EICR has been given to the tenants prior to the start of the tenancy (this document does not form part of the deregulation act).  
Proof of service of all these is essential if you ever need to give notice as without this the application (notice 6a) for possession to the court may be invalid.
- Assured Short hold Tenancy agreement in place which outlines the fixed term of the tenancy, rent payments and all obligations
- Proof that the tenancy agreement given to tenant's pre-tenancy start date for them to read and understand (and get legal advice if necessary).
- Tenancy agreement signed by all relevant parties.
- Guarantors (if applicable) referenced in line with tenants.
- Guarantor ID received and address/contact details saved on file.
- Guarantor deed signed by all parties and executed.
- Thorough inventory obtained on property to include dated photographic evidence.



## STARTING THE TENANCY

*Tick all the boxes that applies*

- Each tenant has signed all documents in relation to the tenancy and have copies of all documents.
- Confirm your bank details and how and when your tenants pay their rent (this should also be in the Tenancy Agreement, so it is clear and defined)
- Tenants issued with inventory and made aware of their obligations to sign and return within a designated time or alternatively attended and gone through the document, mutually agreeing and signing the document off. (Essential to facilitate a smooth conclusion at the end of the tenancy)
- Attended the property on the day of move in prior to handing over the keys to check all smoke alarms are in working order, documenting that there are in working order and ensuring tenants are aware of the responsibilities regarding smoke and carbon monoxide detectors. Complying with the Smoke and Carbon Monoxide Regulations 2015
- Tenants signed document to prove they are aware you have tested smoke alarms on first day and that they have a responsibility to ensure they are working throughout the tenancy
- Make tenants aware that under the terms of their tenancy agreement you will do periodic property checks in line with the Housing Act Regulations giving them a minimum of 24 hours' notice to include how often you will be doing them so as not to breach their quiet enjoyment and to avoid breaching the Protection from Harassment Act 1997.



## DURING THE TENANCY

*Tick all the boxes that applies*

- Gas Safety certificate date remains valid, through tenancy (Renew 2 months in advance)
- Date of gas safety certificates completed: \_\_\_\_\_  
Proof that Gas certificate is served to tenants within 28 days of it being renewed
- Ensure PAT (Portable Appliance Test) Inspection is completed yearly for items over 1-year old and electrical checks completed in line with correct dates  
Inspections completed at 6-month intervals for duration of tenancy? Date of inspections: \_\_\_\_\_
- Time sensitive visas checked? In line with the Immigration Housing Act 2016.  
. If occupants do not provide the updated right to reside in the UK, then they must be reported to Home Office or landlord could be liable for imprisonment and unlimited fine.
- Any previously under 18's need their right to rent status checked? (if so, completed and on file)?  
Documented photographic reports from periodic inspection on file ?
- Evidence of maintenance works being received and responded to in writing?
- Audit trail of any maintenance recorded on inspection and follow up actions?
- All rooms, basements and exterior, etc. checked during inspection?





## PRO TIPS

- Complete all maintenance issues in a timely manner keeping tenants informed and giving notice every time, someone must enter the property (even if they have notified you of the problem, they still have a right under the landlord and tenant act 1985 and Protection from Harassment Act 1977 to confirm who goes into their home). Keep all these interactions documented with in depth notes, you may need them as evidence at a later date.
- All information in relation to the tenancy is kept secure and be aware not to disclose any unnecessary details regarding your tenants. Ensuring compliance with the General Data Protection Regulations
- If during these inspections, you see any sign of illegal activity you are obliged to report to the relevant authorities or you could be charged under The Proceeds of Crime Act 2002. Any sign of unauthorised occupants must have their ID verified, failure to provide the ID will result in you needing to report the unauthorised occupiers.\*\*

## SECTION 21 NOTICE (evictions)

*Tick all the boxes that applies*

- Issued the correct notice - Form 6a.
- Ensure that all relevant documents to allow notice have been issued. EICR EPC, Deposit registration, Gas Certificate, Prescribed information, How to Rent Guide & a Copy of the License (where applicable) have been issued in line with the Deregulation Act 2015.
- Ensured that this is not a retaliatory eviction under section 33 of the Deregulation Act
- You issued your tenants the statutory two months' notice to vacate & they have failed to move out, do not under any circumstances enter the property you will be breaking several laws including Protection from Eviction Act 1977. Take urgent legal advice you will need to apply for possession through the courts.
- When you get possession through the courts you must wait for the tenants to surrender the keys before you can enter, then follow the procedure above for check out and return of the deposit. If the Tenant breaches the court ordered eviction date you will need to apply for a bailiff's warrant. Failure to bring the tenancy to amend this way could result in a prison sentence.

**\*\*Violating these sections may lead to a banning order, 6-month imprisonment, £5000 fine, and loss of possession order rights.**

## A MESSAGE FROM THE TEAM

Being a landlord is not easy task. You have to follow over 170 rules and regulations or face serious penalties! At first it might seem that managing a property can save money, but in fact it is likely to cost more in fines, maintenance, non paying bad tenants, legal costs and most importantly, hassle.

We can deal with any compliance or maintenance issues in a professional way, with local council connections, local experienced contractors and have access to the very best tenants in the local area which you simply cant find by posting a few ads on rightmove or sparerroom.

Whether you're an expert or a beginner landlord, we can help you manage your property. And for a limited time, we have a special offer for you.

### FREE OFFER

If you contact us now, you'll get a **free 30-minute consultation** call and a **free in-person property valuation** with this guide. That's a great deal. So don't wait, **call 020 7101 5425** or fill out our query form at [www.lifestay.co.uk](http://www.lifestay.co.uk) and our Life Stay agent will get in touch with you within 24 working hours

How much is your property worth?



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