

Important Landlord Legislation Changes – RED BANNER ACROSS HOME PAGE – ALSO UNDER LANDLORD ADVICE PAGE

Right to Rent Scheme

*Since its peak in 2010, UK Immigration is down by almost a fifth, with net migration down by a third. In recent years, Parliament has endeavoured to further lower these statistics by introducing the **Immigration Act 2014**.*

The Act's overall directives are

- *to deter illegal immigrants from coming to the UK, allowing the Home Office to facilitate quicker evictions for those not eligible for UK residency*
 - *to prevent illegal immigrants from accessing or abusing public services or the labour market*
 - *to end the abuse of Article 8 – the right to respect for private and family life.*

Recently, Parliament has introduced new rules as part of the Act to tighten the checking requirements for a tenant's ability to legally rent a property within England. This new form of vetting is called the "Right to Rent Scheme", and after a successful roll-out across the West Midlands, will now be compulsory for the rest of England by the 1st February 2016.

Introduction of this scheme means Landlords have a legal requirement to properly vet a proposed tenant for validity, when entering a new tenancy agreement. Failure to correctly execute these pre-tenancy checks could result in a fine of up to £3,000 per illegal tenant, or even criminal charges. Along with traditional landlords, this will also include individuals who sub-let and homeowners who take in lodgers.

The vetting brought on by the scheme is a requirement for any individual over the age of 18 who will be using the property as their only or main home – regardless of who is named on the tenancy agreement. The process includes scrutinising all of the necessary "original documents" (such as passports, identity cards etc.) whilst being in the presence of the individual, and then keeping clear and recorded copies of each relevant document.

Whilst this new bill will no doubt cause aggravation and problems for some landlords, here at Emma Creasey Lettings we have implemented the necessary internal adjustments to ensure we are readily prepared for the 1st February. In addition to this, we always endeavour to use a professional referencing body in order to ensure you, the landlord, are compliant and protected from potential risk. If your relationship with Emma Creasey Lettings is on a let-only (non-managed) basis then you will be responsible for carrying out "further checks", more information pertaining to this can be found here:

<https://www.gov.uk/check-tenant-right-to-rent-documents>

If you do have any further queries concerning the bill or anything else pertaining to the act, feel free to respond to contact us.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Information & Requirements

*From 1 October 2015, private-sector landlords will be required to have at least one smoke alarm installed on every storey being used as living accommodation, and a carbon monoxide alarm in any room used as living accommodation containing a solid fuel burning appliance (e.g. coal fire, wood burning stove). After this date, landlords *must* ensure alarms are in working order at the beginning of each new tenancy.*

The regulations also apply where the premises are let under an existing tenancy.

After alarms are tested by the landlord on the first day of the tenancy (the date stipulated in the Tenancy Agreement) tenants should take responsibility for their own safety and test all alarms regularly to ensure they are in working order. If tenants find that their alarm(s) are not in working order during the tenancy, they are advised to arrange the replacement of the batteries or the alarm itself with their landlord.

For more information please visit <http://www.legislation.gov.uk/ukdsi/2015/9780111133439/contents>