



*your council working for you*

# Rent in advance & deposit bond scheme landlords' pack



**APRIL 2017**

**South Kesteven District Council**  
Stamford • Grantham • Bourne • The Deepings

**This information is for landlords who are working with the Council and have a tenant, or will have a tenant, who received assistance from the Council in paying their rent in advance or providing a deposit.**

**We may have helped your tenant in the following ways:**

- provided a loan for the rent in advance and/or deposit advance payment, and/or
- agreed to guarantee the deposit through the deposit bond scheme

## **SUPPORT FOR YOU AND YOUR TENANT**

Once the tenancy has started, we hope that you will have a good relationship with your tenant and the tenancy will last for some time. However, if you do have any concerns or need advice we may be able to help.

**We can help with:**

- ✓ advice about your rights and responsibilities
- ✓ advice about your tenant's rights and responsibilities
- ✓ referring the tenant to the Citizens Advice South Lincolnshire or to P3 (Lincolnshire Countywide Floating Support) if they need help managing their money
- ✓ short-term advice and support to try and help you and the tenant resolve any problems

**We cannot:**

- ✗ manage the tenancy
- ✗ share information about a housing benefit claim without the claimant's consent
- ✗ guarantee direct payments of housing benefit/Universal Credit

If you wish to seek help, contact the Council on 01476 40 60 80 and ask for the Housing Strategy and Needs Team.



## SUPPORT AND SERVICES FOR TENANTS

### **Council Tax Support**

People on low incomes may be eligible for help to pay council tax. The amount of support they can get will depend on income, savings and personal circumstances.

As from April 2013, most households of working age are expected to make a contribution to their council tax, regardless of whether they are receiving benefits or not.

### **Housing Benefit/Universal Credit**

People on low incomes may be eligible for help to pay the rent, even if they are self employed. The amount of benefit they can get will depend upon income, savings and personal circumstances.

The amount a household would be entitled to is determined by the number of bedrooms they need.

#### **For further information on:**

Housing Benefit – look on our website [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk) or call us on 01476 40 60 80

Universal Credit – look on the website [www.gov.uk/universal-credit](http://www.gov.uk/universal-credit) or telephone 0345 600 0723

## LANDLORD RESPONSIBILITIES

Listed below are some of your main responsibilities. Please ensure that you are up to date and comply with all current legislation regarding your obligations as a landlord.



## Right to Rent

From February 2016, you must check that all tenants aged 18 and over, regardless of their nationality, can legally rent your property.

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

## Not disturbing tenants

- if you need to access the property to carry out an inspection or do repairs, you should give 24 hours written notice (except in an emergency) and arrange a suitable time
- it is useful if arrangements for access are set out in the tenancy agreement
- if your tenant asks you to stop entering the property without their permission, it may be classed as harassment if you persist

## Deposit Protection

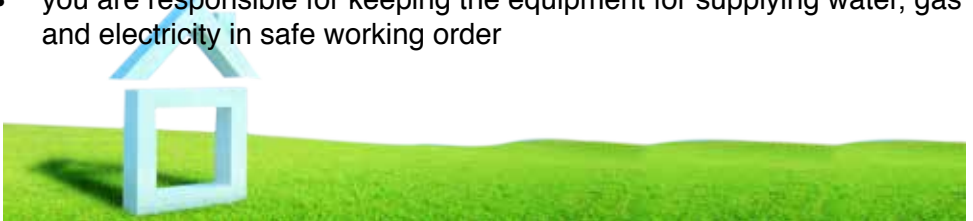
If you have taken a deposit, you need to pay it into a Government approved deposit protection scheme and provide the tenant with the prescribed information within 30 days. There are three official deposit protection schemes:

- Deposit Protection Service, [www.depositprotection.com](http://www.depositprotection.com)
- MyDeposits, [www.mydeposits.co.uk](http://www.mydeposits.co.uk)
- Tenancy Deposit Scheme, [www.tds.gb.com](http://www.tds.gb.com)

If you have used South Kesteven District Council's paper bond scheme you do not need to protect a deposit.

## Looking after the property

- you are responsible for most repairs to the exterior or structure of a property, plus the fixtures and fittings
- you are responsible for keeping the equipment for supplying water, gas and electricity in safe working order



## Safety standards

You have legal obligations to ensure the safety of your tenant. You must:

- get a Landlord's Gas Safety Certificate which covers every gas appliance in the property, and ensure that any necessary work identified is carried out by a Gas Safe engineer
- ensure electrical equipment - installations and appliances - provided are safe
- ensure furniture meets fire safety standards
- provide working smoke detectors. These are a legal requirement on every storey which is used as living accommodation (this includes lavatories and bathrooms)
- where solid fuel is used, provide working carbon monoxide detectors. These are a legal requirement in any room used as living accommodation. As gas appliances can also emit carbon monoxide, we would recommend that working carbon monoxide detectors are fitted in all rooms which contain a gas appliance.

Where a property is occupied by more than one household and by more than three people who share facilities such as a kitchen or bathroom, it may be considered an HMO (House in Multiple Occupation). These have additional fire safety and amenity requirements and are subject to periodic inspection by Environmental Health. Please contact Environmental Health to inform us if you have an HMO and for further guidance.

## Rent

- you have to inform tenants when and how the rent is to be paid
- you cannot refuse to accept the rent from your tenant. If you do, the tenant should keep trying to pay it and keep the money separate (for example, in a separate bank account) and get advice
- you can increase the rent but only at certain times during the tenancy and only in certain circumstances. You should check what your tenancy agreement says about this
- if the rent is paid weekly, you must provide a rent book.



## Tax

When you start renting out property, you must tell HM Revenue & Customs (HMRC) and you may have to pay tax. If you don't, you could face a penalty.

You can find more details on the government website [www.gov.uk/renting-out-a-property/paying-tax](http://www.gov.uk/renting-out-a-property/paying-tax).

## TENANT RESPONSIBILITIES AND RIGHTS

### Tenants are responsible for:

- paying rent
- paying utility bills and council tax (unless this is included in their rent)
- allowing access to landlords when necessary
- not causing a nuisance including noise nuisance and anti social behaviour
- the behaviour of visitors to the property
- ending the tenancy correctly

### Tenants' Rights:

- to be aware of the full terms of the tenancy agreement
- to know the name and address of the landlord/letting agent
- to reside in a property that is in adequate condition for rental purposes, free from defects
- to receive reasonably prompt repairs and maintenance to damaged items
- to live in safe accommodation, with all equipment, gas and electrical systems meeting the required safety standards
- to have a Landlords' Gas Safety Certificate produced annually



- to have peaceable and quiet enjoyment of the property, free from demands for access without prior notification, or interference with utilities or other supplies to the property
- to have a rent book, if the rent is payable on a weekly basis
- to have a reasonable (statutory) period of notice if the landlord wants the agreement to end, (the landlord must follow the correct procedures, e.g. if your tenancy was created on or after 1st October 2015, Form 6A must be used for a section 21 notice)
- to have a copy of the Energy Performance Certificate (valid for 10 years; not needed if the property is a listed building)
- to have received the Government booklet 'How to Rent: The checklist for renting in England' (available at <https://www.gov.uk/government/publications/how-to-rent>)

## MAKING A CLAIM AGAINST THE BOND

When the tenancy comes to an end, you may wish to make a claim against the bond. You can make a claim against the bond if:

- there is damage, beyond normal wear and tear, caused by the tenant
- there is rent owing on the account

You can claim for payment up to the total value of the bond. If you wish to make a claim against the bond for damage, you will need to contact us before any work is carried out so we can inspect the property. Supporting evidence will be required for all claims.

If you wish to make a claim, contact the Council on 01476 40 60 80 and ask for the Housing Strategy and Needs Team.

**Housing Strategy and Needs Team:**  
**01476 40 60 80**  
**[housingadvice@southkesteven.gov.uk](mailto:housingadvice@southkesteven.gov.uk)**  
**[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)**



## ALTERNATIVE FORMATS AND LANGUAGES

South Kesteven has a rich and diverse culture - a community made up of people from different cultures, with differing backgrounds, beliefs and experiences. This diversity is one of the things that makes South Kesteven such a great place to live and work.

To ensure all residents of South Kesteven have access to our information material, it is available in a range of different languages and formats, including large print, Braille, audio tape and computer disc.

To request a document in a specific language or format, you can ring us on: 01476 40 60 80 or e-mail us at [communications@southkesteven.gov.uk](mailto:communications@southkesteven.gov.uk)

### **Latviski / Latvian**

Šo informāciju var iegūt arī latviešu valodā. Ja Jums vai kādai no Jūsu paziņai šādi pakalpojumi nāktu par labu, lūdzu kontaktējiet mūs.

### **Lietuviškai / Lithuanian**

Šią informaciją galite gauti lietuvių kalba. Prašome kreiptis į mus, jei jums arba jūsų pažįstamiems ši paslauga galėtų būti naudinga.

### **Polski / Polish**

Informacja ta może być dostępna w języku polskim. Jeżeli Państwo albo ktoś kogo Państwo znają, może z tej usługi skorzystać, proszę nas kontaktować.

### **Português / Portuguese**

Esta informação pode ser disponibilizada em português. Se você, ou alguém que conhecer, beneficiar com este serviço, por favor contacte-nos.

### **繁体中文 / Cantonese**

本資料有繁体中文版，若你本人或你認識的甚麼人會受益於此版本，敬請聯絡我們。

