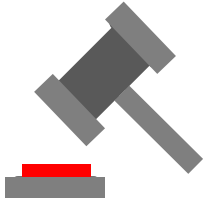


R3 BRIEF

Legal Update #6



Executive Summary

COVID-19 update

In this newsletter, we look exclusively at some of the implications COVID-19 is having on the lettings market, both in terms of how viewings can be carried out and also some of the tenancy aspects once you are in the property.

VIEWINGS



Viewings can, generally, still take place as long as precautions are taken to mitigate infection risks.

REMOVALS



Moving homes and using removal companies can continue to take place with the right safety measures.

TENANCIES



Tenancies are broadly operating as before with a few exceptions, in particular how landlord can give notice.

COVID-19 implications

COVID-19 and regulations linked to it have affected the way in which the lettings industry is being conducted. Viewings can still happen but under specific guidance on how to do so safely for all involved. Full government guidance on finding a home in COVID-times can be found [here](#).

“Lockdown 2.0”

The new national restrictions which came into effect on 5th November and are due to last till 3rd December should not impact significantly on the property market. The Government has confirmed that the housing market remains open for business.

In practice, a stricter lockdown will bring some additional challenges, but none that R3 can't adequately be manage.

Viewings

Government guidance allows for physical viewings that adhere to public health guidance to happen. Agents tend to follow the following protocol:

- Viewings are offered online as virtual viewings first – where this is possible
- Physical viewings should only take place with serious prospective tenants who have a genuine interest in renting the property
- Physical viewings should be done by appointment only and open houses are no longer permitted
- Under the new lockdown rules, it is likely that tenanted properties will be more difficult to access for viewings than vacant ones
- Preferably, windows and doors should be opened prior to and whilst the viewing is taking place
- Hands should be sanitised prior to the viewing
- Number of people present at the viewing is restricted to six to adhere to social distancing guidelines
- Time between viewings is allowed to clean the property and surfaces – this can limit the number of viewings each property can have in a given day

Personal Protective Equipment (PPE)

Face coverings should be worn at all times during viewings. Some estate agents will also ask prospective tenants to wear gloves. Where this is the case, gloves and masks are normally provided.

Removals

Household goods firms can operate but must comply to Government guidance and BAR (British Association of Removals) which provide clear guidance on how and when services can be carried out in people's homes.

Tenancy implications

Tenancy Deposit Protection

The Deposit Protection requirements have not changed. Landlords (and agents acting on behalf of landlords) continue to have obligations relating to Tenancy Deposit Protection, and the usual process to return a deposit should be followed if a tenancy ends.

Client Money Protection

Client Money Protection requirements have also not changed. All agents who hold money on behalf of landlords and tenants are required to comply with the legislation on Client Money Protection.

Landlord notices

The provisions in the Coronavirus Act 2020 have been extended. This means that since 29 August 2020, landlords must provide six months' notice to their tenants in most circumstances. Section 21 notices after 29 August 2020 remain valid for an extended period specific to these notices.

Repair and maintenance

Tradespeople can still visit people's homes. Both tenants and landlords benefit in ensuring that properties are kept in good repair. Tenants should let their landlords know early if there is a problem and landlords should take the appropriate action.

Managing agents and good landlords will be aware of government guidance relating to ensuring contractors requiring access to the property operate safely to carry out inspections and repairs.

This includes annual inspections linked to health and safety such as annual gas safety certificate, portable appliances testing etc.

Viewings when notice has been given

Your safety as a tenant should be the first priority of letting agents and landlords.

Viewings should not be conducted if you, as the tenant, are symptomatic or self-isolating.

Some local restrictions may also apply and local advice should also be observed.

FINALLY – PLEASE don't hesitate to contact R3LOCATION if you have any questions or concerns relating to your tenancy during these uncertain times.