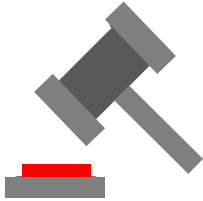


R3 BRIEF Legal Update #11



Executive Summary

We're delighted to publish our legal newsletter in our effort to provide updates twice a year on any relevant information that affects tenants and their rights.

HOW TO RENT GUIDE



A new "How To Rent" guide was published in March 2023. What does it say?

RIGHT TO RENT



A reminder of how right to rent checks are effected and what is normally required from tenants

RENTING HINTS & TIPS



A brief overview of the key areas to think about before entering into a new tenancy

New "How To Rent" guide

New version available

A new version of the "How to Rent: Checklist for Renting in England" guide has recently been published by the Government (March 2023).

Aside from a new design, it contains valuable information for tenants, including latest developments relating to utilities like EICR, smart meters and making reasonable adjustments for tenants with disabilities.

Legal requirement to provide

This latest version of the Guide must be provided by Landlords to all tenants for new tenancies and renewals of tenancies **from March 2023** onwards.

Latest guide

A copy of the latest Guide is available from the Government website – [HowToRentGuide](#).

Right To Rent Checks

Who to check?

It is worth a reminder that Landlords have an obligation to check that a tenant or lodger can legally rent their residential property in England. This includes all tenants and occupiers aged 18 and over, even if they're not named on the tenancy agreement as tenants.

How to check?

The Landlord can either:

- Check your original documents;
- view your right to rent online if you have a 'share code';

Checking original documents

If you do not have a share code, you will be asked for **original documents** that prove you can live in the UK, and you will need to provide proof in person.

Documents required for non-British citizens can be found [here](#) and generally include:

- Passport;
- Valid immigration documents

Please note that the COVID concession to provide these documents as copies is no longer valid. **Originals** are now required.

Renting Hints & Tips

Assured Shorthold Tenancies

Support by a reputable relocation company such as R3 for international assignees arriving in the UK is not always available – so as a useful checklist, we provide some areas to think carefully about before entering into a new tenancy.

Useful checklist

These key questions need to be considered prior to entering into a binding contract, including:

- **Fees:** Is the landlord or letting agent trying to charge any fees? Many fees have been banned since 1st June 2019.
- **Deposit:** Is the right cap being applied to the deposit? This is 5 weeks' rent if the total annual rent is less than £50,000, otherwise no more than 6 weeks' rent can be taken by landlords or their Managing Agents.
- **Length of tenancy:** The landlord must allow you to stay in the property for a minimum of 6 months, but it is possible to negotiate a longer tenancy of 12 months or more.
- **Affordability:** Generally, as a rule of thumb, 35% of the take-home pay is the guide that many landlords will use for references to gain comfort of credit worthiness i.e. that you can afford to pay the rent on the property.
- **Referencing:** Landlords and agents will want to confirm identity, immigration status, credit history and possibly employment status before agreeing to enter into a contract with you.
- **Right to rent:** Landlords in England must check that all people aged 18 or over, living in their property as their only or main home have the right to rent in the UK. Landlords must carry out this check before occupation of the property (refer to this Update – *left* – for additional information on right to rent checks).

Think carefully before entering into a contract, imagine what it will feel like to live in that property, make sure you mitigate risks and negotiate on the terms that are important to you as the tenant.