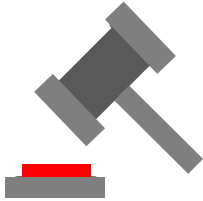


R3 BRIEF

Legal Update #8



Executive Summary

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

COVID NOTICE PERIOD



From 1 October 2021, all notice periods returned to the pre-pandemic lengths. This includes the notice period for section 21 notice.

LANDLORDS' RESPONSIBILITIES



Landlords have to comply with a number of obligations to let properties and also while tenants are living in the property. A reminder here of what these are.

RIGHT TO RENT CHECKS



Temporary COVID changes remain in place until April 2022 but this is not mandatory for Landlords to follow

COVID notice period ends

Notice to terminate

It had been the case that from 1 June 2021 until 30 September 2021, a notice period of four months was required in most cases (down from 6 months before then) for landlords to terminate a lease. This was a measure put in place since March 2020 to protect tenants in the private and social rented sectors with measures requiring landlords to give extended notice of their intention to seek possession before starting court action.

Return to pre-pandemic notice

From 1 October 2021, all notice periods returned to the pre-pandemic lengths. This included the notice period for section 21 notice which will revert back to the pre-covid position, at a minimum period of 2 months.

Strict Procedures

It is worth noting that, in any case, Landlords must follow strict procedures if they want a tenant to leave a property, depending on the type of tenancy agreement in place and the terms of it.

Landlords' responsibilities

General responsibilities

When Landlords rent a property, they have to comply with a number of obligations to let the property and also while tenants are living in the property.

As there haven't been many legal updates worth highlighting in the last six months, here's a brief reminder of Landlords' obligations under the Housing Act for Assured Shorthold Tenancies (most tenancies will fall in this category).

On occupation

When tenants occupy a property, landlords **must**:

- **Health & Safety:** keep rented properties safe and free from health hazards
- **Fire safety:** fit and test smoke alarms and carbon monoxide alarms
- **Gas Certificate:** provide a Gas Safety Certificate to show all gas equipment is safe

- **Electrical Safety Standards:** EST are met when the property is occupied by providing valid certificate showing all electrical equipment is safely installed and maintained

- **Energy Performance Certificate:** provide an EPC for the property – and for this rating to be at least below E

- **Deposit protection:** protect tenants' deposit in a government-approved scheme

- **Right to rent:** check tenants have the right to rent the property if it's in England

- **How to Rent:** give tenants a copy of the How to rent checklist when they start renting (this can be in email form)

Maintenance & Repairs

Landlords are also generally responsible for keeping in repair:

- the structure and exterior of your home (walls, roof, foundations, drains, guttering and external pipes, windows and external doors)
- basins, sinks, baths, toilets and their pipework
- water and gas pipes, electrical wiring, water tanks, boilers, radiators, gas fires, fitted electric fires or fitted heaters

These responsibilities can't be removed by anything the tenancy agreement says and the cost must be borne by the landlord.

Right to Rent Checks

COVID period extended

The following temporary changes were made on 30 March 2020 and remain in place until 5 April 2022 (inclusive):

- checks can currently be carried out over video calls
- tenants can send scanned documents or a photo of documents for checks using email or a mobile app, rather than sending originals

Note that different Estate Agents & landlords may decide to effect these face to face as these were able to resume as of Monday 17th May 2021.