

NEW LAWS AND OBLIGATIONS affecting Private Sector Landlords

Right to Rent scheme to roll out across England from 1 February 2016

The Home Office has announced that from 1 February 2016, the Right to Rent scheme will be extended across England. This means all private landlords in England, including those subletting or taking in lodgers, will have to check new tenants have the right to be in the UK before renting out their property. The scheme is being extended following an evaluation of the first phase in the West Midlands (which has been published on GOV.UK) and has received the continued input of a panel of industry experts, housing and homeless charities and local authorities.

Right to Rent is one part of the government's ongoing reforms to the immigration system to make it harder for people to live in the UK illegally.

What this means for the private rented sector

As of 1 February 2016, anyone who rents out private property in England will need to see and make a copy of evidence that any new adult tenant has the right to rent in the UK (for example a passport or a biometric residence permit).

The process is simple and many organisations in the private rented sector already check the immigration status of tenants.

In most cases, checks can be carried out without contacting the Home Office. However, if a tenant has an outstanding immigration application or appeal with the Home Office, landlords can request a Home Office Right to Rent check. A yes or no answer will be provided within two working days.

Landlords who don't make the checks could face a civil penalty of up to £3,000 per tenant if they are found to be renting out a property to someone who is in the UK illegally. The Government is also making it easier for landlords to evict illegal migrants as part of the [Immigration Bill](#).

You can [read more](#) about Right to Rent on GOV.UK.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

- From 1st October 2015 all let properties must be fitted with Smoke Alarms on every floor and Carbon Monoxide (CO) Alarms in every room where there is a solid fuel appliance (gas appliances are not included but it is highly recommended to have a CO Alarm in rooms with a gas appliance as they do emit carbon monoxide). Battery operated alarms are acceptable.
- This is applicable for all existing tenancies and new tenancies.
- For any new tenancy from 1st October, the regulations require the Landlord to ensure all alarms are checked and recorded as working on Day 1 of the tenancy.
- It will be the responsibility of the Tenant to check the alarms are working throughout the tenancy.
- We strongly advise Landlords to 'pre-check' the alarms before the start of tenancy to avoid any unnecessary delays in the tenant moving in.

Disclaimer

This Circular contains general guidance only. You must seek formal legal or specialist advice as to the application of any regulation to your property.

- The legislation indicates that keys cannot be released unless all alarms are working,
- Regulations require annual testing of smoke alarms and carbon monoxide detector as part of the annual gas safety check.

Heat Network (Metering and Billing Regulations 2014)

These new Regulations are aimed promoting energy efficiency in multi-let properties with communal heating, cooling and hot water supplies.

They impose the following new obligations:

1. registration with the National Measurement Office

This can be completed by email to heatnotifications@nmro.gov.uk attaching the template provided at the following link. <https://www.gov.uk/heat-networks>

This obligation came into effect in **April 2015** and should be attended to as soon as practicable

2. installation of individual meters and temperature control devices (e.g. thermostatic radiator valves) in each separate dwelling for each Tenant.

This must be completed by end **December 2016**.

There are exceptions for buildings where this is not cost-effective or technically feasible but this is the subject of detailed guidance on which professional advice should be sought.

3. Tenants must be billed for actual consumption with tariff and comparative energy pricing information provided.

Though it is 18 months away, Glentree recommend that you start investigating the cost-effectiveness and technical feasibility of compliance.

The Letting Guide – New Edition

The latest edition, Edition 7 was published in April 2015 and is available on-line at: [://www.glentree.co.uk/rentals.html](http://www.glentree.co.uk/rentals.html)

Disclaimer

This Circular contains general guidance only. You must seek formal legal or specialist advice as to the application of any regulation to your property.

Disclaimer

This Circular contains general guidance only. You must seek formal legal or specialist advice as to the application of any regulation to your property.

Correct at 16 June 2015