




Guide

to

5 Things Tenants Should Know About Renting

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property

A close-up photograph of a desk. On the left is a silver laptop keyboard with black keys. In the center is an orange notebook with a black pen and a white marker resting on it. To the right is a white coffee cup on a white saucer. The background is a dark green surface.

A successful tenancy is dependent on a good relationship, not friendship, between the tenant and landlord and it's important to keep in mind that most issues can be resolved with good communication and establishing good communication is key to avoiding problems in the first place.

That is why it is important to report problems to your landlord and get things fixed in a timely manner to avoid build up, backlog and depending on memory.

KEEP GOOD RECORDS

If you have requested the landlord repair something on the property, make sure to do so in writing so that you have some type of record of it. This is especially important if the landlord is failing to repair the issue or ignoring your requests for maintenance.

If the problem is severe and it is causing the property to be unsafe you can contact local authorities who can enforce health and safety standards with the landlord.



HOMES (FITNESS FOR HUMAN HABITATION) ACT 2018

On 20 March 2019, a new law came into effect to ensure that landlords provide properties that are fit for human habitation. The Homes (Fitness for Human Habitation) Act 2018 not only applies to all new tenancies lasting up to seven years granted on or after 20th March 2019 but also to existing tenancies that go periodic on or after the same date.

The new law is an update of the Landlord and Tenant Act 1985 and means tenants can go to court if a property is deemed unfit for living.

A landlord is in breach if there are serious defects in any of these areas:

- The building has been neglected and is in a bad condition
- The building is unstable
- There's a serious problem with damp
- It has an unsafe layout
- There's not enough natural light
- There's not enough ventilation
- There is a problem with the supply of hot and cold water
- There are problems with the drainage or the lavatories
- It's difficult to prepare and cook food or wash up



EMERGENCY

WHAT TO DO IN AN EMERGENCY

our landlord or agent should provide you with contact details including a 24-hour contact for emergencies.

Of course it is important to get repairs completed quickly but you should also be realistic about lead times. Some repairs may not be immediate, due to perhaps parts that have to be ordered. However having a contractor visit within 24 hours to establish the problem is not an unreasonable expectation.

Most landlords and agents will hold a set of keys in order gain access to the property for repairs but they should always confirm the access with you in advance and you have the option to be present as well.

Property managers are employed by the landlord and will therefore need permission from the landlord to carry out any repairs with the money that they normally keep on account for such repairs.



EMERGENCY

Emergency repairs are generally specific to power and water and most contractors that attend to these sort of problems will do the minimum overnight to stem the problem and then re-attend the next day when they will cause less disruption to other residents, be working in daylight and on normal rates. Do keep this in mind.

If you have an emergency you should also take what reasonable precautions you can to prevent any damage, including switching off electric or water supplies or trying to contact your neighbour if there is a leak coming from their property.

Unless specifically agreed with the landlord and agent you should not try to undertake any repair works yourself, even if you are qualified to do so. Some works may potentially cause you harm, cause additional damage to the property or possibly invalidate the landlord's insurance. If this happens the landlord could reasonably look to you to cover the cost of the damage if they did not give consent for work to be undertaken.

WHAT TO DO IF YOU CAN'T PAY YOUR RENT

If your financial circumstances change and you can no longer afford to make your payments your best option is to be as transparent as possible with the landlord and agent and not assume that they won't try to help you.

Going through a legal process for rent arrears can be tough for both landlords and tenants and, if an agreeable settlement can be reached, both parties are normally better off avoiding this legal process.

If, however, the issue cannot be resolved there is a due legal process that would need to be followed and the landlord would need to secure a court order before being able to take the property back.



WHAT TO DO IF YOU HAVE A COMPLAINT

If you are in the unfortunate position of needing to make a complaint, your agent should have a published complaints process which you should follow.

This will explain each of the steps you can escalate your complaint through until the process has been exhausted. In the event that your complaint remains unresolved to your satisfaction at the end of the process, you can refer your complaint to the redress scheme that the agent belongs to.

If you are dealing with your landlord directly there may not be a published complaints procedure and you should put your complaint in writing so that it is recorded.

If sending a written complaint, you should include a summary of the incident, clarify why you are making a complaint, explain how you would consider the matter best resolved, what is your desired outcome and suggest a time frame in which this should be done. You should try and make the complaint as concise as possible and ideally avoid any personal, emotional or defamatory remarks.

If you are unable to resolve your complaint directly, you should speak to the Citizens Advice Bureau who may be able to help by writing on your behalf or by directing you to the relevant professional service to assist.



complaint

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