



As legislation continues to change, it is vital that Landlords have the correct legal advice to ensure that they keep on top of their legal responsibilities to their Tenants.

**Aston Brooke Solicitors** are here to help. For the ease of all Landlords out there, we have briefly outlined the 10 main legal obligations required below:

## 1. Gas Certificate:

The Tenant must be given a copy of a Gas Safety Certificate (GSC) provided by a Gas Safety Registered engineer. The Landlord has a duty to renew this every 12 months.

## 2. Electrical Certificate:

The Landlord must ensure that the electrical equipment is safe and this can be proved by getting an electrical installation condition report (or EICR Certificate).

## 3. Energy Performance Certificate:

Energy Performance Certificates (EPCs) are needed whenever a property is rented, and must be obtained before it is marketed. They are valid for 10 years. A copy should be given to the Tenant.

## 4. Fire and Carbon Monoxide Safety:

Properties on rent must have a smoke alarm and carbon monoxide alarm installed on every floor that is being lived in by a Tenant.

## 5. Tenancy Deposit:

All Landlords have a responsibility to ensure that they place any deposit for a new tenancy starting after 6 April 2007 in a government-backed tenancy deposit protection (TDP) scheme within 30 days

of its initial receipt (For example, this would be the date a cheque is received rather than when the funds clear).

## 6. Prescribed Information:

Various details must also be provided to the tenant within 30 days of the tenancy including:

- The address of the rented property in the TDP scheme
- How much deposit has been paid
- How the deposit is protected
- The name and contact details of the TDP scheme and its dispute resolution service
- The landlord's (or the letting agency's) name and contact details
- The name and contact details of any third party that has paid the deposit
- Why a landlord would keep some or all of the deposit
- How the tenant should apply to get the deposit back
- What to do if the tenant cannot get hold of the landlord at the end of the tenancy
- What to do if there is a dispute over the deposit

## 7. House in Multiple Occupation (HMO) Licence:

If a Landlords property is a house in multiple occupation (e.g. a shared house or flat) they will need to check with the

local council to confirm whether a licence is required. Requirements for a licence can differ between councils.

## 8. Tenant's Immigration Status:

Landlords have a responsibility to check the Tenant's immigration status to ensure that they have the right to take tenancy. As a landlord, you must check original documents for both your tenant and any other adults living with them, to make sure they have the right to be in the UK. You must also make copies of these documents and keep them until they leave the property. Please have a look at our '[Right to Rent, 3rd March 2017](#)' article to find out more.

## 9. How to Rent Guide:

All landlords must also provide their tenants with a copy of the How to Rent Guide available at: <https://www.gov.uk/government/publications/how-to-rent>

## 10. Income Tax:

Landlords must remember to pay income tax on all rent profits.

The above is a summary only, and other legal obligations can apply depending on the property, local authority and of course, the tenancy agreement.

For more details please visit our blog on: <http://astonbrooke.co.uk/news/private-landlords-10-key-legal-obligations/>

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