

Landlord Guide

G Betts
Landlord

“ I write in praise of your lettings team, particularly Julia who tracked us down waiting in vain for another agent to do what they said they would do, Aneta who found us a good tenant at a good rent and Ellie and Chloe for sorting out the management. Next year when the common parts will hopefully be finished the sky will be the limit. ”

With over 25 years experience and vast local knowledge, Sandfords is a respected name and has a strong presence in North West and Central London, one that is linked not just with the property business but local life too.

We are a member of ARLA (The Association of Residential Letting Agents) and a London Rental Standard Accredited Agent which means we are committed to following a professional code of practice, so Landlords can be assured of a professional and courteous service. We are part of the National Federation of Property Professionals (NFOPP) Client Money Protection Scheme and belong to an independent redress scheme, The Property Ombudsman (TPO).

Our Lettings and Property Management team are experienced professionals dedicated to providing a great service to both tenants and landlords.

We are passionate about what we do and great care is taken from the marketing and letting of your property, all the way through to full management once you have a tenant. Managing a property yourself can be a tricky and stressful business. If you choose Sandfords to let and manage your property, our highly experienced and qualified Property Management department will remove this for you.

This guide has been designed to answer the most frequently asked questions and highlight the main considerations for landlords wishing to rent out their property.

GETTING STARTED

PROPERTY CONDITION

If a property is provided in good condition from the outset, you are more likely to attract a tenant that will want to maintain the property and start the tenancy on a positive footing.

The property should be presented to the highest standard possible and in full working order. Most tenants will be looking for neutral and fresh decoration throughout with high quality furnishings, fittings and flooring. Kitchens should be fully equipped with contemporary appliances including oven, hob, extractor hood, dishwasher, washing machine and dryer and a good sized refrigerator/freezer. Bathrooms should also be contemporary with good quality fittings and adequate water pressure, ventilation and heating.

EXTERIOR

Where applicable, the exterior of the property should be in good decorative order, garages clear and gardens in good seasonal condition.

INVENTORY

We strongly advise that a detailed and independent inventory is carried out to protect all parties. We will be able to recommend an independent company to do this. The tenancy agreement requires that the tenant returns the property and contents at the termination of the tenancy in the same condition, save for fair wear and tear, as recorded in the inventory.

APPLIANCES/MANUALS

You will need to ensure that all appliances are serviced and in good working order. Manufacturers' operating and instruction manuals for all appliances and electrical equipment must be left in the property. If there are any maintenance contracts in place, these should be provided and both the agent and tenant informed.

KEYS

You will need to provide the tenant with sufficient sets of keys and security fobs. If we are managing the property, we will need to hold a full set of keys throughout the full term of the tenancy.

TELEPHONE LINE AND TV AERIALS

You must ensure that there is a working telephone line and TV aerial socket at the property before the start of the tenancy. You will also need to confirm whether satellite or cable is or can be installed.

POST

Please ensure that you redirect your mail.

INSURANCE

You must have insurance for buildings, contents and public liability and advise your insurance company that you will be letting the property.

GETTING STARTED (continued)

MANAGING ISSUES DURING THE TENANCY

Even with new properties, there can be issues during the tenancy such as problems with noise from neighbours, or your tenant not maintaining the property well enough. You can help identify problems early by having a detailed inventory, periodic checks and leaving your contact details with neighbours.

If we are fully managing your property, we will carry out regular inspections and assist with all issues that may arise during the tenancy, including any tenant disputes.

LEASEHOLD/SUPERIOR LANDLORD

If the property is leasehold you should check the head lease to ascertain if there are any necessary consents needed to let your property and any restrictions (e.g. there may be a clause that prevents tenants from having pets).

MORTGAGES

In most cases when a property is subject to a bank loan or mortgage, written permission is normally required by the lender to let the property. The landlord must obtain the necessary consent and we would ask that this is applied for at the earliest possible time prior to making your plans for letting. Tenants may require proof of consent or official documentation.

CLEANING

It is essential that the property is professionally cleaned before the tenancy commences. If we are managing the property for you, we will organise this on your behalf.

LEGAL OBLIGATIONS

ELECTRICAL EQUIPMENT (SAFETY) REGULATIONS 1994

You will need to provide instruction manuals for all items of electrical equipment and ensure that all appliances comply with the above regulations. It is highly recommended that you have an NICEIC DOMESTIC ELECTRICAL INSTALLATION CONDITION REPORT carried out periodically as well as a portable appliance test (PAT) before each tenancy. If we are managing the property, we will be able to arrange this for you.

GAS SAFETY (INSTALLATION AND USE) REGULATIONS 1998

It is a criminal offence to let a property with gas appliances, installations and pipe work that have not been checked by a Gas Safe registered engineer. You will need to provide a copy of a Gas Safety Certificate (GSC) carried out no more than 12 months previously. The GSC will need to be renewed annually. If we are managing the property, we will arrange for an annual GSC automatically.

PART "P" BUILDING REGULATIONS (ELECTRICAL SAFETY IN DWELLINGS)

From January 1 2005 the above regulations came into force requiring qualified personnel to carry out certain electrical work at premises. To ensure compliance with the regulations we will only use a competent person to carry out any electrical work at the premises.

ENERGY PERFORMANCE CERTIFICATE (EPC)

By law we are prohibited from marketing any property until an EPC is available or has been commissioned. We will be able to help you arrange this if required.

SMOKE ALARMS AND CARBON MONOXIDE ALARMS

Under current legislation (Building Regulations 1991) it is a legal requirement that all newly built premises from June 1992 must have mains fitted smoke alarms with battery back up. From October 2015, all rented properties are legally required to have both smoke alarms and carbon monoxide alarms fitted. If battery operated alarms are fitted, you need to ensure that the alarms are in working order at the start of a tenancy. If we manage the property, we will arrange for smoke detectors and carbon monoxide alarms to be installed if required.

LEGIONNAIRE'S DISEASE

In order to comply with the Health and Safety Executive Code of Practice landlords are strongly advised to carry out a risk assessment at their premises prior to letting especially if there are open water tanks, cooling systems or a swimming pool. We request that a copy of any written risk assessment is provided upon instruction.

THE FURNITURE AND FURNISHINGS (FIRE) (SAFETY) (AMENDMENT) REGULATIONS 1993

It is a criminal offence to let premises with upholstered furniture or soft furnishings containing foams that cannot be proven to comply with the above Regulations. The Regulations require that specified items must be match resistant, cigarette resistant and carry a permanent label.

SAFETY STANDARDS FOR INTERNAL BLINDS AND CURTAINS

It is a legal requirement that all blinds and curtains which include a cord or chain must comply with the recently published safety standards. Blinds and curtains that are already fitted to a property must be made safe or replaced.

RIGHT TO RENT CHECKS

For all tenancies starting on and after the 1st February 2016, all occupants have to undergo 'Right To Rent' checks. As the landlord, you are required to establish who will live in the property, check and copy one or more original documents that demonstrate the Right to Rent in the UK for all adult occupiers, in the presence of the holder. Acceptable documents include a UK passport, permanent residence card, travel document showing indefinite leave to remain or a valid visa.

We will carry out the Right to Rent checks as part of our referencing process.

HOW TO RENT GUIDE

Since 1 October 2015, a landlord must provide a current copy of the government publication along with the EPC and gas safety certificate. If these documents are not provided to the tenant at the start of the tenancy this may invalidate any Section 21 notice for possession served during the tenancy.

K Henderson
Landlord

“ I've been very pleased with Sandfords' letting service, but absolutely delighted with the management service. I managed my Central London studio flat myself for twenty years after moving to the Midlands, and now look back in horror and wonder why I put myself through it. It's great to know that the tenant will never phone or e-mail you with an emergency at the most inconvenient moment possible. I don't even think repairs cost more, as it's much easier for Ellie at Sandfords who has so much more experience with finding reliable local electricians, plumbers etc. Having the flat professionally managed is so easy that I'd consider buying another property. ”

LEGAL OBLIGATIONS (continued)

USEFUL LINKS

Post Office
www.postoffice.co.uk

British Blind &
Shutter Association
www.bbsa.org.uk

HMRC
www.hmrc.gov.uk

If you would like us to manage the property, please contact our Property Management Department at 6 Nottingham Place, London, W1U 5NA.
Tel: 020 7099 1133
Email: pm@sandfords.com

J Van't Veer
Landlord

“ I have partnered with Sandfords over the past 24 months, through some testing market moments, always with success; the team know the market area down to street by street, building by building detail; I have been able to hand over 100% of all management related activity; the ease of communication and updates provided by the management team allow for any issues to be dealt with quickly and to a high standard without my needing to be involved; I now live abroad and know that the property is in safe hands. ”

FLOOD AND WATER MANAGEMENT ACT 2010 (SECTION 45)

The landlord has an obligation to provide the tenant's contact details to the relevant water company at the end of the tenancy or they will become jointly and severally liable for any unpaid water charges during the tenancy.

TAX & OVERSEAS LANDLORDS

You will be liable for tax on income arising from letting the premises and you must inform Her Majesty's Revenue and Customs (HMRC) that you are letting the premises. There are a number of allowances that you can claim against this income. You should seek advice on these allowances from your accountant or from the HMRC website which can be accessed on www.hmrc.gov.uk. You must also keep all your invoices for six years for tax purposes. You should be aware that we forward a form to HMRC annually detailing all landlords whose premises we have let and the rental income they have received, regardless of the country of residence of that landlord.

HMRC has special rules regarding the collection of tax on rental income if you are a landlord who is resident overseas for a period of more than 6 months in any tax year, or you subsequently move abroad. If you fall into this category it is your responsibility to obtain a tax approval number from HMRC. The relevant form and guidance notes can be downloaded from www.hmrc.gov.uk/cnr/nr_landlords.htm. Until that approval number is given to us by HMRC we are legally obliged to deduct tax from your rental income at the prevailing rate, which is currently 20%. This money is forwarded to HMRC on a quarterly basis. For any period during which we deduct tax from your lettings income due to you not providing us with an approval number or you are not being accepted into the Non-Resident Landlord Scheme we may make an administration charge. If the tenant pays you direct, you are non-resident in this country and he has not received approval from HMRC to pay the rent gross he must deduct tax and forward that to HMRC on your behalf.

PRE-TENANCY CHECKLIST

1. Post redirected
2. Mortgage company advised
3. Insurance company advised
4. Head Lease checked
5. Keys arranged
6. Appliance manuals obtained and left in the property
7. Working telephone line and TV aerial socket installed
8. Non-Resident Landlord form completed and sent to HMRC (if overseas landlord)
9. Professional clean organised
10. Inventory booked
11. Gas Safety Record obtained
12. Portable Appliance Test and NICEIC Electrical Report completed
13. Furniture checked for fire labels
14. Smoke alarms tested and carbon monoxide detectors installed
15. 24 hour emergency contact details in place
16. Legionnaires Disease Risk Assessment