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## Guide to Private Tenants Basic Rights

The information below applies to the most common form of private tenancy an **assured shorthold** (also called **shorthold**) and may also apply to other types of tenancy. Check your tenancy agreement or ring one of the numbers below to find out what type of tenancy or licence you have.

Before taking any action get expert advice from Keyhouse on 01723 350755, Shelter on 0808 8004444, Scarborough Citizens Advice Bureau on 01723 368710 or Scarborough Borough Council Housing Options Team on 01723 232323.

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Always contact your landlord or letting agency in writing and keep a copy.

**Eviction** - *Harassment and illegal eviction of tenants is a criminal offence*

- You can not be evicted without your landlord giving you proper written notice and obtaining a court order. It maybe possible to get the court to delay possession by your landlord, seek expert advice immediately. If you receive a court 'Notice of eviction' get immediate advice.

**Repairs** - *If your lease (tenancy) is fixed for 7 years or more seek expert advice on repair issues*

- Your landlord has to keep the structure and exterior of a property in good repair including installations for the supply of water, gas, electricity, heating systems, drainage, and sanitary appliances. The Council should ensure all properties meet certain health and safety standards.
- Responsibility for other repairs depends on what is agreed with the landlord.

**Health and Safety**

- Your landlord must ensure annual gas appliance safety inspections are carried out and provide tenants with a certificate. Electrical appliances provided by the landlord must be safe to use.
- It is recommended that a qualified electrician carries out an inspection (a periodic inspection report) on the electrical wiring etc, every 5 years and that electrical appliances supplied by the landlord are inspected and tested periodically (PAT testing).
- All upholstered furniture provided by the landlord must comply with legal fire resistance requirements.
- If you live in property where you share facilities with other tenants (a House in Multiple Occupation (HMO)), your landlord may require a licence from the Council if it is a larger HMO.

**Money matters** - *You should not be charged a fee to register with a letting agency*

- If you pay rent weekly you should be provided with a rent book, if not keep your own records.
- From 6/4/07 landlords must put your deposit in one of the three Government approved tenancy deposit schemes & provide you with details of the scheme within 14 days.

**Privacy** - *If you want to leave you must give the correct advance written notice to your landlord*

- Landlords must ask tenants permission before entering a property. Landlords must give 24 hours notice in writing if they wish to inspect a property. Landlords and their agents have a legal right to enter a property at reasonable times of day to carry out repairs.

**Tenancy Agreements** - *Ask for a list of contents & their condition, this could help you get your deposit back*

- If your tenancy started after 28/2/97 you have the right to ask your landlord to provide a statement of any of the main terms of your tenancy. This should be provided within 28 days. Your landlord may have provided you with a full tenancy agreement but does not have to unless you have a fixed-term tenancy of longer than 3 years.
- It is a legal requirement that all terms in a tenancy agreement must be reasonable. Tenancy agreements cannot give you less than your statutory (legal) rights but can give you more.

**Energy Matters**

- From 01/10/08 prospective tenants must be provided with an energy performance certificate so that they will have some idea how much it would cost for example to heat their new home.

The information in this guide has been obtained from free public domain sources provided by Shelter, Department for Communities and Local Government, Citizens Advice Bureau, Stonewall, Albert Kennedy Trust and the Camden Federation of Private Tenants. Always seek expert advice.

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