



A GUIDE TO RENTING A HOME

The Key to a Quiet Life

Disagreements between Tenants and Landlords can be long and sometimes bitter. Yet most can be avoided with the right legal advice at the start.

We can deal with all areas of Landlord and Tenant Law and are skilled in settling disputes. But prevention is better than cure. The key to a happy tenancy is to understand your rights and duties as a Tenant and to make sure your Tenancy Agreement reflects them. This is why it's vital to come and see us before you agree to your Landlord's terms.

Tenancy agreements

A Tenancy Agreement is a contract between you and your landlord. This contract can be written or verbal. In England and Wales there is no law to say that Landlords have to provide a written Tenancy Agreement, but it is always a good idea to ask for one – even if your Landlord is a friend or family member. Otherwise, if you have a dispute with your Landlord about the terms of your Tenancy, it is your word against theirs as to what has been agreed.

There are several types of Tenancy Agreement. Of these, the two most common types are the Assured Shorthold Tenancy and the Assured Tenancy.

Assured Shorthold Tenancy

This is normally for six months. You have no right to stay at the end of the tenancy period agreed if your Landlord has given you valid notice to leave.

Assured Tenancy

This is often used by public-sector landlords. It gives you far greater rights to stay at the end of the tenancy period agreed.

Ideally, you should contact us before you agree the terms of a Tenancy with your Landlord. This will give you the chance to check whether the terms are fair and legal before you commit to them.

How long will it take?

If the Tenancy Agreement you are considering is relatively straightforward, you will probably only need one meeting with us to check the Agreement through. We will then send you a letter to summarise the advice given to you.

What will the meeting cover?

If your Landlord has given you a written Agreement to sign, bring it with you. We will go through it point by point to:

- check that it is legal
- explain the basic requirements of the Agreement; and
- warn you of any pitfalls

You will need to consider the following key issues:

Length and Type of Tenancy

When does the Tenancy start and finish? What notice does the Landlord have to give you to end the Tenancy? Under what circumstances can you be evicted? What do you have to do if you want to end the Tenancy?

Lease Restrictions

What restrictions has your Landlord placed on you keeping pets, hanging out washing or playing loud music late at night? Are these restrictions reasonable? What happens if you ignore them?

Rent

When do you have to pay the rent? What might happen if you don't pay on time? Will you have to pay interest? How often and when can the Landlord increase your rent?

Deposits

How much do you pay and when do you get it back? Will it be placed in a Government authorised tenancy deposit scheme as is required by law? Is there a list of fixtures and fittings which your Landlord has left in the property?

Service charges and repairs

Will the Landlord provide any services, such as laundry, maintenance or meals? Are there separate service charges for these? What are the Landlord's duties to carry out repairs?

Access

What are the Landlord's rights to enter your home? Are other people allowed to use the property? If so, which rooms can they use?

Energy Performance Certificates (EPC's)

All rental properties now have to have a valid Energy Performance Certificate when being let out. This will give you an idea of how energy efficient the house is and subsequently how much it is likely to cost you in terms of fuel to run the house. It will also give suggestions as to how to make any improvements. You can always ask for a copy of the EPC when viewing a property and if you have any questions about an EPC we can always help answer your questions.

Further action

If any of your Landlord's terms seem unreasonable or inconvenient, we can tell you how best to go about raising these concerns.

Disagreements

Sadly, most Tenants don't take advice until matters have reached crisis point and they find themselves evicted or their rights abused. Although it is rarely as easy to solve a problem at this stage, we have the knowledge and experience to see the matter through.

Costs

Charges vary depending on how much advice or help is needed and the complexity of the matter. Seeing a solicitor provides valuable protection but it is important for clients to know how much the service is likely to cost. We will be happy to give you a written quotation and discuss any concerns with you.

How to contact us

We welcome enquiries and consultations by telephone, letter and e-mail, or why not call in to one of our offices and ask for further information.



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