

*INFORMATION
FOR
LANDLORDS*



PRIVATE SECTOR RENTING IN WALES

WHAT YOU NEED TO KNOW

Sunderlands

Residential Rural Commercial

HOW WE CAN HELP

The introduction of the Renting Homes (Wales) Act 2016 has brought several new legal requirements to the private renting sector.

At Sunderlands we have experienced staff who can guide you thorough the rental process, offering advice and guidance to help you navigate the legal requirements, find the perfect contract holder and address all your questions.

BEFORE YOU START

If you have a mortgage, you must have permission from your lender and you must inform your insurance company that you intend to let the property. Please ensure you have adequate landlords' insurance.

RENT SMART WALES

Under Part 1 of The Housing (Wales) Act 2014 landlords and agents operating within the private rented sector must register with Rent Smart Wales. Domestic tenancies are now Occupation Contracts introduced by the Act and regulated tenancies introduced by the rent Act 1977.

A Rent Smart Wales licence must also be held by those who undertake letting and/or management activities. In order to obtain a license landlords and agents must undertake training in order to be deemed 'fit and proper'

Registration and licensing are mandatory, subject to a fee and valid for 5 years before renewal where further training will be required. Please be aware that penalties will be enforced for anyone involved in letting and/or management who is found not to be complying with Rent Smart Regulations.

Sunderlands are fully licenced and able to manage your property so if you do not wish to undergo landlord training you only need to register and sign up to our management service.

Please note, we are unable to commence a contract until you are registered.

For further information go to www.rentsmart.gov.wales.

OUR SERVICES

LET ONLY PROPERTIES

- View the property and provide a rental valuation
- Provide guidance and advice to comply with legal landlord obligations and required paperwork
- Advertise your property on relevant online platforms and social media
- Arrange viewings to find a suitable occupant for your property which include referencing

- Draw up an occupation contract
- Draw up an inventory and photographic schedule of condition which will be provided to the contract holder at the start of the contract
- Collect the first month's rent and deposit and protect the deposit in an insured scheme recognised by Rent Smart Wales
- Notify the local authority of the change of occupants

Our charge for this service is £720 inc VAT (£600 plus VAT)

MANAGED SERVICE

In addition to the above:

- Organise gas and electrical safety checks throughout the contract to follow compliance rules
- Energy Performance Certificate (extra charge £90)
- Pursue non-payment of rent and provide advice on rent arrear action
- Periodic property inspections with report and pictures
- Provide monthly/annual statements to landlord
- Liaise with landlord regarding works required and cost
- Organise contractors to carry out minor works
- Organise necessary repairs
- Emergency contact point for tenants and landlords
- Organise emergency repairs
- Deal with day to day management issues

Our charge for this service is £540 inc VAT (£450 plus VAT) for the initial set up and then a monthly management fee of 12% of the rent including VAT

REFERENCES

We use a third-party provider to carry out referencing and credit check on our behalf.

DEPOSIT SCHEME

Deposits must be held in a government approved tenancy deposit protection scheme.

We are registered with the Tenancy Deposit Scheme and deposits are held in our client deposit account.

The purpose of the TDS is to ensure fairness at the conclusion of a contract of occupation. In the event that any disputes arise between the landlord and tenants during the checkout process, TDS will step in as an impartial third party to determine the appropriate distribution of the deposit, based on the evidence presented by both parties.

CLIENT MONEY

All client and contract holder funds, including rents and deposits, are held in our dedicated client account at RBS, 21 Broad Street, Hereford, HR4 9AP.

We maintain comprehensive insurance coverage, and a copy of our client money handling procedure is available upon request.

THE RENTING HOMES (WALES) ACT 2016

In December 2022, the Renting Homes (Wales) Act 2016 changed the way all landlords in Wales rent their properties.

Some of the changes under the new law include –

- Tenants and licensees are now known as contract-holders and tenancy agreements have become occupation contracts with standard terms and a minimum term of 12 months.
- Joint contract holders can now move out without ending the contract for the occupant remaining and new occupants can also be added.
- New procedures make it easier to regain a property which has been abandoned.
- Changes to the way contract holder requests are dealt with.
- Section 21 notices are now known as 'No Fault Evictions' and mean landlords must give a minimum of six months' notice should they wish to take the property back. Notice can only be served if a landlord has complied with all their obligations including but not limited to registration and licensing with Rent Smart Wales, deposit protection rules, fit for human habitation regulations, health and safety provision and that all prescribed information has been served in a timely manner.

FIT FOR HUMAN HABITATION (FFHH)

The new legislation requires that all properties must be fit for human habitation. Requirements include the following –

Energy Performance Certificate

An EPC contains information on how efficiently a property uses energy and has a rating A-G. Under FFHH regulations, all rental properties in Wales must have an efficiency rating of E or above in place prior to marketing the property.

Electrical Testing (EICR)

A landlord is required to have the electrical installation of the dwelling tested every 5 years by a qualified electrician (unless a

previous EICR has recommended a shorter period). A copy of a satisfactory and current EICR must be given to a new contract holder at the start of the contract.

Smoke and Carbon Monoxide Alarms

Since 1st December 2023, landlords must ensure there is a minimum of one smoke alarm, in proper working order, present on every storey within the property. These alarms must be inter-linked with all other smoke alarms and connected to the electrical supply.

Since 1st December 2022, landlords must ensure a carbon monoxide alarm, in good repair and proper working order, is in each room which contains a gas appliance, oil-fired combustion appliance or a solid fuel burning combustion appliance (e.g. gas cooker, wood burning stove etc).

Gas Fitting and Appliances

All gas appliances, installation fittings, chimneys and flues must be safe and working efficiently. Landlords must ensure a gas safety certificate is in place at the start of the contract and a service is carried out at least every 12 months.

Legionella Risk Assessment

In order to comply with the 'Code of Practice for Licensed Landlords and Agents' licensed under Part 1 of the Housing (Wales) Act 2014, landlords must ensure properties are kept in a safe condition and with no unacceptable risk to the health of their tenants.

Legionella must be managed appropriately due to the danger it poses, and at a minimum, a risk assessment must be completed to identify any potential risks from legionella growth.

Asbestos Risk Assessment

To ensure that Asbestos is managed effectively, landlords have a duty of care to inspect properties and ensure that any potential hazards are minimised or controlled. Landlords must identify where, if anywhere, in the rental property, asbestos may be present and take the appropriate action.

COMPLAINTS PROCEDURE

We are committed to providing a professional service to our clients. If you have any concerns, we need you to tell us about it. We are a member of The Property Ombudsman and a copy of our complaints procedure can be found on our website or provided on request.