

10 rights for private tenants

This factsheet sets out ten important legal rights you have as a tenant if you rent from a private landlord and you have an assured shorthold tenancy.

Whether you are renting a room, a flat or a house from a private landlord, you will have certain rights and responsibilities. For example, you will be responsible for paying the rent. This factsheet sets out ten of your basic rights. You will have these rights even if you do not have a written tenancy agreement.

This factsheet is for assured shorthold tenants only and so may not apply to you if:

- your landlord lives in the same property as you
- your tenancy started before 28 February 1997
- your accommodation was provided with your job.

Most tenants with private landlords are assured shorthold tenants.

1. Information about your tenancy

If you ask your landlord, s/he must write to you setting out some of the basic facts about your tenancy – the date your tenancy started and the rent and, if appropriate, any provision for increasing the rent and the length of your tenancy agreement.

2. Address for your landlord

Your landlord must ensure you have an address in England or Wales where you can write to her/him.

3. Deciding who comes into your home

You have the right to decide who can come into your home. The landlord does not have the right to enter without your invitation, although you must also allow reasonable access for repairs to be carried out.

4. Your right to remain in your home

Your landlord can only evict you if s/he gets a court order. Even then, you have right to stay until s/he gets a bailiff's warrant.

5. After the end of a fixed-term tenancy

If you have a tenancy for a fixed period (eg for 6 or 12 months) you do not have to move out when that period ends. If you do not sign a new agreement, your tenancy automatically becomes a 'periodic' tenancy. Your landlord

can only evict you by serving notice and then getting a possession order.

6. Your right to enjoy your home

A minority of landlords make life difficult for tenants, eg by constantly visiting at unsocial hours or by cutting off the gas and electricity. It is illegal to harass or illegally evict you.

7. Your right to live in a safe home

If bad housing conditions are putting your health or safety at risk, you can get help and advice from the council's Environmental Health team. If you have gas, your landlord must arrange for the appliances to be inspected every year by a Gas Safe registered engineer.

8. Your right to have repairs carried out

Your landlord is responsible for many repairs, including to the boiler, heating, roof and windows. If there is disrepair, inform the landlord straight away – preferably in writing. It is relatively easy to legally evict private tenants so you need to consider the risk that your landlord may take steps to evict you rather than do the work.

9. Protecting your deposit

For tenancies starting on or after 6 April 2007, your deposit must be protected in a government-approved scheme. If the landlord or agent does not do this, the court can order your landlord to pay you compensation.

10. Record of rent payments

This is not a right, but it is important! Your landlord only has to give you a rent book if you pay your rent weekly. If possible pay your rent through a bank or post office, or by cheque, so you have a record of payment. If you pay in cash, always ask for receipts.

Further advice

You can get further advice on all these matters from Shelter's free* housing advice helpline (0808 800 4444), a local Shelter advice service or Citizens Advice bureau, or by visiting shelter.org.uk/advice

* Calls are free from UK landlines and main mobile networks.

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Note for advisers

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