



LOOKING FOR PRIVATE ACCOMMODATION?

An advice guide

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Looking for private rented accommodation?

Each year Dartford Borough Council receives a large number of applications from people who wish to be rehoused within the borough. Unfortunately, we cannot immediately rehouse everyone who applies and waiting lists can be very long. As an alternative, the most realistic option is to rent privately. The Housing Options & Advice Team at Dartford Borough Council can assist with finding accommodation but this guide gives you useful information about how to do this yourself:

What to consider when looking for private rented accommodation

It is important that you are realistic when looking for somewhere to privately rent. If you are on benefits, some landlords may not even consider renting to you. It is best not to restrict yourself to one area as there may not be any properties to rent there. You may wish to consider areas outside of the Dartford borough, as these can be cheaper and have a larger supply of private rented properties.

Where to look

- **In local newspapers** – private landlords and some letting agents often advertise accommodation to rent in the local papers such as Dartford Times or Newshopper.
- **Shop windows/notice boards** – accommodation may also be advertised in local shop windows, (usually newsagents), hospitals, libraries, doctors' surgeries, and the Citizens Advice Bureau. Supermarkets also often have notice boards on which private rented accommodation is sometimes advertised.
- **On the internet** – Choose a search engine and enter search terms such as “rented accommodation in Dartford” (or similar words of your choice). This type of search can produce some useful results, and even if there is nothing immediately available, it could put you in contact with organisations which may be able to help you in the future. Websites such as www.gumtree.com and www.spareroom.com are also valuable resources when searching on the internet.
- **At lettings agents** – There are a number of lettings agents situated within the borough of Dartford – they often have lists of available properties they are seeking to let on behalf of landlords. Some lettings agents charge an administration fee for the paperwork involved in setting up a tenancy – please note that this fee will be **your** responsibility.
- **Personal contacts** – ask your family, friends and work colleagues if they know of anyone who has accommodation to rent or know of someone who is just about to give up a room or flat.
- **Colleges and employers** – if you are at college, check whether the college has details of accommodation to rent. It may be worth speaking to the student welfare officers if your college has one. If you are working, check with your employer to see if there is any accommodation available to rent to staff.
- **Advertise yourself** – you can put an advert in a paper or shop stating the type of accommodation that you want and how much you can afford to pay. You can also use websites such as www.gumtree.com and www.spareroom.com to advertise as well.

To make an appointment with the Housing Options & Advice Team you can call 01322 343114 or e-mail at housing.advice@dartford.gov.uk

Deposits

Most Landlords will require a deposit equivalent to one month's rent and may also ask for one month's rent in advance. Make sure you know exactly what the deposit is to cover- an agreed inventory with notes of any damage or disrepair at the time of taking the Tenancy is a good way of avoiding disagreements later on.

Dartford Borough Council have developed a Deposit Guarantee Scheme to assist those having difficulties raising the deposit required and thus enable people to gain access to suitable affordable accommodation in the Private Rented Sector.

Further information on this scheme and eligibility criteria can be found at: www.dartford.gov.uk/housing/depositguaranteescheme.htm or by contacting the Council's Housing Advice Team on 01322 343114 or e-mail: housing.advice@dartford.gov.uk.

Since 6 April 2007, all deposits (for rent up to £25,000 per annum) taken by landlords and agents for assured shorthold tenancies in England and Wales have had to be protected by an authorised tenancy deposit scheme. If your Landlord does not protect your deposit the Tenants can take the Landlord to court and they may have to repay the Tenant their deposit plus three times the amount of the deposit. It should be noted that Landlords will also be unable to seek possession of the property in certain circumstances.

Help with rent

If you are claiming other benefits or your income is low, you may be entitled to receive some help with your rent in the form of **Housing Benefit** from the Council. A new scheme of Housing Benefit was introduced from 7th April 2008 called **Local Housing Allowance** (LHA). Housing Benefit will still be assessed in the same way it was before the introduction of LHA, based on income, savings and household composition but will use LHA rates instead of actual rent to calculate the maximum Housing Benefit that can be paid.

Tenancy

It is sensible to ask for a written Tenancy Agreement from the Landlord/Agent – make sure you read it before signing. The agreement should provide you with all the information you need about the property you are renting, your and your Landlord's responsibilities.

If your landlord has not given you a written agreement, you can ask him or her to give you a written statement setting out:

- the date the tenancy began
- the rent and when it is payable
- any rent review arrangements
- the length of any fixed term
- Landlord's address and contact details

Most Tenancies issued in the private rented sector are Assured Shorthold Tenancies (AST) commonly for a 6 or 12 month period.

Landlord Responsibilities

Landlords who let accommodation have a responsibility to ensure that it is maintained to a good standard of repair.

There are certain repairs which will almost always be your landlord's responsibility, whether or not they are specifically mentioned in the tenancy agreement. These are:-

- The structure - roofs, walls, windows, gutters, etc.
- Installations in the property for the supply of gas, water and electricity, including baths, WCs, sinks, etc.
- Installations for heating water - gas boilers, immersion heaters and space heating - storage heaters, radiators, gas fires, etc.

In addition, the property should be free from damp, structurally stable, properly ventilated and have bathroom and kitchen facilities.

All furniture you provide must be fire resistant; the **Furniture and Furnishings (Fire) (Safety) Regulations 1988** set levels of fire resistance for domestic upholstered furnishings.

The Landlord must provide an **Energy Performance Certificate (EPC)** prepared by an accredited Energy Assessor to any prospective tenant. Once obtained, a certificate remains valid for up to 10 years.

Gas Safety

All gas appliances and supply pipework provided in rented properties must by law have an annual safety check. Such appliances include cookers, water heaters, boilers and wall heaters.

Your landlord is responsible for arranging this check and once completed you must be provided with a copy of the Landlord Gas Safety Check Certificate.

Any defects found during this check should either be repaired or the appliance renewed. **If you smell gas or think you are being affected by fumes from a gas appliance call Transco free on 0800 111 999 without delay.**

Electrical Safety

Landlords must ensure that the electrical system and all appliances supplied are safe. There is no statutory requirement to have annual safety checks on electrical equipment as there is with gas, but it is advisable for landlords to have periodic checks done by a qualified electrician.

Tenant responsibilities

- Paying the rent as agreed
- Taking proper care of the property
- Paying for gas, electricity, telephone , council tax, water/sewage charges, if you agreed this with the landlord/in the Tenancy Agreement.

Problems with repair:

If there are problems with disrepair, in the first instance the legal Tenant is generally advised to inform the Landlord in writing of any defects and ask for these to be rectified within a reasonable period from the date of the letter. You should keep a copy of this letter.

Please contact the Private Sector Housing Team for help and advice if:

- you are still unsure if your landlord is responsible for the repairs
- if you feel that the defect(s) pose an immediate danger to you and your Landlord does not offer an appropriate response
- after a reasonable time period (usually 28 days is sufficient), your Landlord has not carried out repairs

We will normally arrange to visit your property to inspect the disrepair and advise on the action, including enforcement action if necessary, we can take to get repairs carried out.

Ending a tenancy-

The type of notice and the time period you must allow will depend on the type of tenancy or licence. In general terms:

Landlord

The landlord can ask you to leave at any time after six months, provided any fixed term you agreed has ended. They must give you two months' notice in writing that he or she wants you to leave. This notice must include certain information for it to be valid.

The landlord can apply to the court to end the tenancy at any time on certain "grounds" (ie reasons) for possession set out in legislation; these include rent arrears.

You should leave at the end of the notice period. However, the landlord cannot force you to leave, but may apply to a Court for a possession order. If you do not leave by the date set by the order, the landlord may apply to the Court for a warrant for eviction. The Court will then appoint bailiffs to evict you.

Tenant

If you have a fixed term tenancy but want to move out before the end of the term, you can only do so if the landlord agrees you can leave early or if this is allowed for by a "break clause" in the tenancy agreement and you have followed any requirements for giving notice specified in the tenancy agreement. If the agreement does not allow you to leave early and the landlord does not agree that you can break the agreement, you will be contractually obliged to pay the rent for the entire length of the fixed term.

If the tenancy has no fixed term, you must give the Landlord reasonable notice in writing of your intention to leave. You must give at least four weeks' notice if you pay rent on a weekly basis and at least a month's notice if you pay rent on a monthly basis

Harassment and illegal eviction

Landlords must follow certain eviction procedures set out by law to get their property back from a tenant. Illegally evicting or harassing a tenant is a crime.

The legal definition of **harassment** is when a landlord or landlord's agent:

- carries out acts which are likely to interfere with the peace and comfort of an occupier
- persistently withdraws or withholds services required by the occupier

It is an offence for a landlord to carry out the above acts if it causes the occupier to leave or stop them from exercising their rights to the property, eg if the landlord cuts off the electricity/gas/water supply.

If as a tenant your landlord is threatening to evict you without a court order or is harassing you with the intention of making you leave your home you should contact the Private Sector Housing Team on 01322 343674 or email at privatesectorhousing@dartford.gov.uk

Useful Contacts:

- Information on public services - www.direct.gov.uk
- Department for Communities & Local Government - www.communities.gov.uk
- Housing information/advice - www.shelter.org.uk
- Citizens' Advice Bureau - www.citizensadvice.org.uk
- Information on Dartford Borough Council Services - www.dartford.gov.uk
- Private Sector Housing Team - www.dartford.gov.uk/housing/privatesector.htm
Contact -Tel 01322 343674 or e - mail: privatesectorhousing@dartford.gov.uk
- Housing Advice Team Contacts tel 01322 34814
or e -mail housingadvice@dartford.gov.uk

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ਪੰਜਾਬੀ Punjabi 01322 343610	தமிழ் Tamil 01322 343611	Polski Polish 01322 343612	česky Czech 01322 343613	简体中文 Mandarin 01322 343614	Français French 01322 343615
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If you or anybody you know requires this or any other council information in another language, please contact us and we will do our best to provide this for you. Braille, audio tape and large print versions of this document are available upon request.

Tel: 01322 343434

Fax: 01322 343432

Email: customer.services@dartford.gov.uk

Calls are welcome via [typtalk](https://www.typtalk.com)

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www.dartford.gov.uk/housing

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