

Letting Houses to Students A Landlord's Guide

Produced by The University of Winchester in consultation with Winchester City Council



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When the term 'Landlord' is used in this booklet it is deemed to mean both landlord and landlady.

Every attempt is made to guarantee the accuracy of the information in this booklet but the University can accept no responsibility for any errors, omissions or subsequent changes in legal requirements.

1. Student Housing Services – University of Winchester

The Student Housing Services office is located on the King Alfred campus of the University of Winchester on Sparkford Road, Winchester. It is open Monday to Friday from 10am to 3pm for counter enquiries and 9am to 5pm for telephone enquiries on 01962 827533.

The Student Housing Services Department has a dedicated Housing team for the private sector. They are responsible for running a registration scheme for private sector landlords (The Winchester Student/Landlord Forum) and also for administering the University Managed House scheme.

2. The Winchester Student / Landlord Forum

The Winchester Student/Landlord Forum provides an advisory service to landlords and students throughout the academic year and acts as an "honest broker" between landlords and students. It offers an impartial service to both parties but does not offer legal advice. There is a charge to cover administration and advertising costs.

The Student/Landlord Forum is a good opportunity for local landlords to get together to discuss issues that surround renting to students. There are 2 meetings held a year and at the meetings you will have the opportunity to meet with other local landlords and representatives from the University and discuss any issues that you may wish to raise. There is also an opportunity for representatives from external agencies to attend, such as the City Council Private Sector and Accreditation Scheme Officers. Representatives from the Student Union are also members of the forum. The scheme has grown into a very successful and beneficial project and there are now more than 180 landlords registered with the forum.

The properties of landlords who register with the forum are advertised throughout the year to students. The spring term is generally the busiest time, when students begin to look for accommodation for the next academic year.

We hold a Housing Advice Day in December which landlords are invited to. We then advertise properties on www.winchesterstudentpad.co.uk from January onwards. The University of Winchester site is managed by our Off Campus Housing Team.

Landlords usually register properties with the Forum between November and January in order for them to be advertised to students after the Christmas Vacation, but properties can be advertised at any time throughout the year. There is a registration fee per property and this covers the pre-tenancy advertising period up until the following January.

Properties must have a gas safety certificate, undertaken by a Gas Safe Registered engineer (renewed yearly) an electrical wiring safety certificate (NICEIC or similar) (5 yearly) and an energy performance certificate in order to register with the forum. Each property must also have reached Winchester City Council Shared Housing Accreditation standards in order to register.

Properties must hold a current Energy Performance Certificate (EPC). Properties which have 3 or more storeys and 5 or more occupants, must also send a copy of their HMO Licence (see section 6, Houses in Multiple Occupation).

To register a property with the forum please complete and return the enclosed registration form together with the registration fee and all relevant certification.

3. The University Managed House Scheme

The University of Winchester has a managed house scheme for landlords who require a more comprehensive service. By joining this scheme landlords are able to lease their properties to the University, who will then arrange for students to view the properties, carry out an inventory and undertake regular inspections to ensure that your properties are maintained in a reasonable condition. The University will collect the rent from the students and pay the landlord in regular installments agreed at the commencement of the tenancy. The Scheme will allow the landlord to receive a regular income from the property without the need to be involved in time consuming daily management of the property.

If you are interested in joining the Scheme please contact Student Housing Services for an information pack.

4. Winchester City Council Shared Housing Accreditation Scheme

In September 2003, Winchester City Council supported by the University of Winchester, Hampshire Fire Department and Winchester Housing Group launched the Winchester Student Housing Accreditation Scheme. This scheme was broadened in 2011 to encompass other non-student shared housing and is known as the Winchester City Council Shared Housing Accreditation Scheme.

This scheme is aimed at landlords who wish to provide student housing, or other shared housing, which is safe and of a good quality. Considerations are given to both legal and non legal obligations placed upon landlords, and concentrate on raising the fire safety within the properties. Fire doors to prevent fire spreading and additional electrical sockets to prevent overloading are just a couple of items considered.

A high response has been received to date with many landlords wishing to join the scheme, several of which have been accredited and several more are close to becoming accredited. To date, more than 100 properties have been inspected, resulting in the potential for 200 safer student houses in Winchester.

To join the scheme please contact:

The Private Sector Housing Team: Telephone: 01962 848483

5. Tenancy Deposit Protection Scheme

The Housing Act 2004 has implemented new legislation to protect tenants' deposits. Any deposit taken under an Assured Shorthold Tenancy will need to be protected by one of the two schemes outlined below:

Insurance Scheme

The landlord holds the deposit and pays a fee to the scheme to insure the amount.

Custodial Scheme

The landlord places the deposit into the scheme and pays no fee.

At the end of the tenancy the agreed proportion of deposit is returned to the tenant. If there is a discrepancy, then both landlord and tenant have access to Alternative Dispute Resolution (ADR) through their scheme. Their scheme will return the undisputed amount to the tenant and hold on to the contested proportion until the issue is resolved.

For further information please visit www.gov.uk

6. Houses in Multiple Occupation

Legislation brought in with the Housing Act 2004 means that all properties rented to three or more students are now classed as Houses in Multiple Occupation (HMOs).

Since April 2006 it has been a mandatory requirement to license all high risk HMOs with the Winchester City Council. A high risk HMO is defined as a property of three storeys or more (including basements and loft conversions) with five or more occupants.

To apply for licensing you should contact Winchester City Council on 01962 848483

Landlords must stipulate on their Student/Landlord forum registration form if a property is liable for mandatory licensing. This information will be available on the online property search so that students can ensure the properties they are viewing are abiding by the new legislation.

7. Energy Performance Certificates

Since October 2008, an EPC has been required whenever a building in the private rented sector is let to a new tenant. The purpose of this is to show prospective tenants the energy performance of the property. EPCs are valid for 10 years and can be reused for each new set of tenants. Certificates must be issued by a qualified Domestic Energy Assessor.

If a landlord fails to provide an EPC to a tenant or fails to show one to an enforcement officer, Trading Standards can issue a notice with a £200 penalty charge and will still require the landlord to provide an EPC.

Landlord's will be required to send a copy of their certificate to the University and it will be put on the website alongside the property advert.

8. Student Housing Standards

These guidelines are based on the standards of the Winchester City Council Student Housing Accreditation Scheme. All properties registered with the Winchester Student/Landlord forum will be expected to have reached accreditation standards.

Properties wishing to join the University Managed House Scheme will also need to have reached accreditation standards.

General Structure and Repair

The exterior and interior of the building should be maintained in satisfactory condition and good repair. The building should be structurally stable so as not to cause a safety hazard to the occupants. The interior should be free from damp and excessive condensation or mould growth. Tenants should be advised to take adequate steps to ensure that condensation is not allowed to build up.

Internal Decoration

The internal decoration should be maintained in good order. Floor coverings should be of good condition and fixed securely.

Bedroom space

All bedrooms must have at least 70sq feet of floor area or 110sq feet if there is no communal area in the property.

Lighting

All living rooms and bedrooms should have windows opening directly to the external walls for light and air. Wherever practical, all kitchens, bathrooms, toilets, staircases and hallways must have sufficient natural lighting and also adequate means of artificial lighting.

Ventilation

All living rooms, bedrooms, kitchens, bathrooms, toilets, staircases and passages must have adequate ventilation. Mechanical ventilation in accordance with the Building Regulation is acceptable in bathrooms and toilets where external windows are impractical. All properties should be free from damp including condensation.

Water Supply

There must be an adequate piped supply of drinking water.

There must be an effective system for the drainage of waste water. Repairs to the sewerage or drainage system is the responsibility of the landlord.

Bathroom/Toilet Facilities

Properties for 1-5 tenants must have one toilet, one wash hand basin and one bath or shower with hot and cold running water.

Properties for six or more tenants must have two toilets and two separate baths or showers and two wash hand basins with hot and cold running water.

Kitchen Facilities

There must be cupboards for food storage and sufficient work surfaces to serve the number of occupants (at least 1.5 metres of clear work surface space). Cupboards must be of adequate size, be fitted in a suitable position and be ventilated.

Properties for 1-5 tenants must have one gas or electric cooker with a minimum of four burners/hobs, oven and grill.

Properties for six or more tenants must have either two gas or electric cookers with a minimum of four burners/hobs, oven and grill; or one cooker and a microwave.

Heating

The property needs to have an effective and energy efficient heating system. This means either a boiler and radiators, or portable heaters in each room.

The property must have an SAP (standard assessment procedure) rating of at least 55.

Fire Safety

All properties require the following:

- A fire blanket in the kitchen, 1.1m.sq or 4ft.sq compliant with BS 6575.

Tenants should be reminded that they have a responsibility to ensure that all fire safety equipment is kept in good order and is not tampered with in any way.

- Smoke alarms to both ground floor and first floor – all properties require an interlinked smoke alarm system connected to the mains supply due to new accreditation standards.
- A protected route should be provided by increasing the fire resistance of the staircase. This may be achieved by providing 12.5mm plasterboard to the underneath of the staircase
- Fire doors should be provided to the kitchen (and bathroom if an open heater is installed) In addition, purpose made fire doors may be required within the escape route if the existing doors are not of a sound, close fitting and good construction.
- Fire doors to all bedrooms
- Staircases serving a converted area should be half hour fire resistant (as required by Building Control regulations)

Security

Both front and back doors should be of good quality and constructed of hardwood or UPVC. The front door must be fitted with a lock capable of being unlocked by the student from the inside without the use of a key. Locks should be of a type with a suitable inter thumb-turn to facilitate this. Alternatively a secure 'Yale' type lock may be used. The front door should be fitted with a door viewer and a safety chain and should open inwards. The back door is required to have hinge bolts fitted if it opens outwards.

Window locks are required to be fitted to all ground floor and vulnerable first floor windows. All keys are to be available and easily accessible to tenants.

Gas installations and appliances

All gas appliances, their flues and pipework must be maintained in a safe condition in accordance with the current Gas Safety Regulations. All work required to gas appliances within properties must be carried out by a Gas Safe Registered engineer.

An annual Landlord's Gas Safety Certificate must be provided for each property as required by the Gas Safety (installations and use) regulations 1998 (or any subsequent amendments). The certificate should be displayed at the property and copies sent to the City Council and the University.

Any room which contains a gas appliance must have adequate ventilation.

A gas appliance with an open flu should not be installed in any room used for sleeping.

Electrical Wiring Safety

Landlords have a legal obligation under the Electricity at Work regulations 1989 to ensure the electrical installations and any electrical appliances provided are in a safe condition.

A visual inspection of electrical installations and appliances must be carried out annually by a competent person.

Any electrical works that are required at the property must be carried out by a fully competent electrician in accordance with current wiring regulations.

A full Periodic Inspection Report (PIR) must be provided once every five years.

At least two double sockets are to be provided in each study/bedroom and the communal room.

9. Furniture and Fittings

All furniture and appliances are required to be in clean condition and in good order. All furniture should be of a good standard and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. Recommendations for furniture and fixtures to be provided in student houses:

	Essential	Desirable
Sink	✓	
Floor covering	✓	
Blinds/curtains	✓	
Cooker (with hob and grill)	✓	
Fire blanket	✓	
Fridge/freezer	✓	
Washing machine	✓	
Tumble dryer		✓
Table and chairs*	✓	✓
Microwave	✓	✓
Kettle	✓	✓
Toaster	✓	✓
Central heating	✓	
Dish washer		✓
Refuse bin	✓	
Ironing board	✓	✓
Vacuum cleaner	✓	
Washing up bowl		✓
Mop and bucket		✓
Dustpan and brush		✓
Sufficient work surface and cupboard space for number of tenants	✓	

*if not in communal room

	Essential	Desirable
Carpet/suitable floor covering	✓	
Curtains/blinds	✓	
Sofa and easy chairs (enough for number of tenants)*	✓	
Table and chairs (if not in kitchen)	✓	
Central heating	✓	
TV Aerial	✓	
Coffee Table		✓
TV stand		✓

* to comply with fire safety regulations

	Essential	Desirable
Carpet/suitable floor covering	✓	
Doormat	✓	✓
Curtains/blinds	✓	
Smoke detectors	✓	
Banister Rail	✓	

* All properties should comply with Accreditation standard in relation to fire safety

	Essential	Desirable
Floor covering	✓	
Toilet brush and holder		✓
Cupboard or storage unit	✓	
Curtains/blinds	✓	
Shower attachment for washing hair		✓
Waste bin	✓	

	Essential	Desirable
Single bed	✓	
Mattress in clean condition	✓	
Mattress protector		✓
Desk (or table) and chair	✓	
Carpet/suitable floor covering	✓	
Curtains/blinds	✓	
Wardrobe	✓	
Chest of drawers	✓	
Bookcase or shelving	✓	✓
Easy chair		✓
Fixed radiator/heater	✓	
Bedside table		✓
Table lamp		✓

If tenants are expected to maintain the garden, guidance as to what is required should be given and adequate equipment must be provided.

	Essential	Desirable
Garden fork/spade		
Lawnmower		
Strimmer		
Wheelie bin	✓	
Rotary washing line or similar		✓

10. Property Management

Any landlord who joins the Winchester Student/Landlord Forum is expected to manage their properties in a responsible manner. All HMO landlords are additionally required to comply with The Management of Houses in Multiple Occupation (England) Regulations 2006 (Statutory Instrument 2006 No. 372) A copy of the Regulations is available at <http://www.legislation.gov.uk/ukSI/2006/373/introduction/made>

For full details of the WCC accreditation management code, please see the “Winchester Shared Housing Accreditation Scheme” booklet.

Rent

We advise that landlords include water rates within the rent, however, as Southern Water are fitting water meters to all properties in the region between now and 2015, this advice may alter for the future. Tenants in self-contained properties usually pay bills for gas, electricity, telephone and internet. If you choose to include utility bills in your rent, we would suggest that you include a clause in your contract about considerate use. We suggest that you cap the maximum payment of gas and electricity for the contract term. You should also inform them of the usage limits and guidelines for the Broadband connection and potential charges which may be levied if limits are breached. The date on which the rent is to be paid should be stipulated in the tenancy agreement. Some landlords choose to take rent payments termly instead of monthly, so they are in line with loan payments. It is common for student landlords to charge half rent during the summer vacation period (4 to 12 weeks) if their tenants will not be living in the property.

Deposits

Deposits are usually taken when contracts are exchanged. A receipt should be given to a tenant clearly stating that funds accepted are held as a deposit. The deposit is generally equivalent to a month's rent. It is illegal to charge more than two months rent as a deposit.

Please refer to section 5 on the Tenancy Deposit Protection Scheme.

Contracts

- Self Contained Property

All landlords letting a self-contained property should provide the tenant with a written contract. It is expected that an Assured Shorthold Tenancy be issued to all tenants – either a joint & several or an individual contract. Winchester Student/Landlord Forum produces a contract, which has been approved by both the Student Union and the University solicitors. This basic contract is available for use by all registered landlords who can then add appendices, if necessary. If an Assured Shorthold Tenancy is issued the landlord must give two months notice in writing if they wish to end the tenancy. Landlords should ensure that two copies of the agreement be provided and signed, one to be kept by the landlord and one for the tenant(s).

- Resident Landlords/Lodgings

You cannot issue an Assured Shorthold Tenancy if you as the landlord reside in the property as your only or main home and share facilities with your tenant(s). If you are letting rooms in your own home you should agree with the tenant(s) how much notice you will give each other if either of you want to end the tenancy. A written agreement is advisable.

Inventory

There should be a full inventory check on arrival and departure of the property with both the landlord and tenants present. It is advisable to include all furniture and fittings with a note of their condition. The inventory should be agreed with the tenants and a copy kept by each party.

Repairs

Landlords have certain obligations under the Landlord and Tenant Act 1985 to keep all property in good repair this includes:

- Keeping the structure and exterior of the property in good repair (including drains, gutters and external pipes)
- Keeping the installations for supplying water, gas and electricity in good repair including basins, sinks, baths and toilets.
- Keeping the installations for space heating and water heating in good repair

Please supply the tenants with a contact number for the above so that they can report any problems as soon as possible.

Tenants should report any repairs needed to the landlord as soon as possible and Landlords should ensure that all reports of repairs are acted upon promptly. It is good practice for the landlord to state the date the repair is expected to be completed.

There should be notices displayed at all times giving:

- Name, address and telephone number of landlord of the house
- Emergency repairs procedure and telephone numbers
- Procedure in case of fire
- Location of water stopcock, mains gas tap and mains electricity switch

We recommend that a fixed notice board should be installed in a communal area.

Fabric of Property

It is expected that the landlord should not alter the structure or setup of the property once the tenancy agreement has been signed. This includes altering the number of rooms in occupation or altering the function of any room (for example, changing a lounge into an extra bedroom), or altering the garden boundary (for example, by building on, or selling part of the garden)

Right of Access

The act of letting a self-contained property means that the landlord parts with possession in favour of the tenants. The landlord is obliged to allow tenants to have quiet enjoyment of the property and not unlawfully interfere with their peaceful occupation. The landlord has the right to inspect the property, but must do so with the consent of the occupiers. Visits must be at reasonable hours and it is suggested that 24 hours notice is given (except in emergencies). In no circumstances should a landlord enter the dwelling house without permission.

11. Landlord/Tenant Relations (The Honest Broker Scheme)

Where disputes arise between landlords and tenants, the aim should be to reach a swift amicable decision. As members of the Winchester Student/Landlord Forum, both landlords and tenants are able to make full use of the Honest Broker Scheme operated by the University of Winchester. Student Housing Services will act as a mediator in any disputes that landlords and tenants are unable to settle. This may mean organising a meeting between both parties or offering suggestions for a reasonable solution to both parties.

12. Useful websites for landlords

Gov.UK

www.gov.uk

Website with government services and information

Health and Safety Executive

www.hse.gov.uk

08701 545500

For information on gas safety and electrical safety

Office of Fair Trading

www.oft.gov.uk

08457 22 44 99

For information on unfair terms in consumer contracts

Landlord Zone

www.landlordzone.co.uk

0870 765 4420

Useful information and links to services for landlords

Landlord Law

www.landlordlaw.co.uk

01603 763096

Legal advice for landlords and tenants

The University of Winchester

www.winchester.ac.uk

01962 827533 (Student Housing Services)

housing@winchester.ac.uk

For information on Student Housing at The University of Winchester and to view the online search

Winchester City Council

www.winchester.gov.uk

01962 848483

Information on the City Council Student Accreditation Scheme and other local housing issues



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