



No S1101

**Libra Investment Property Group.**

Lettings Specialist

## LANDLORD 'RIGHT TO RENT' CHECKLIST

**Since 1 December 2014** ... If you are a Landlord in the Midlands\* there has been a legal obligation to establish whether your tenant or prospective tenant has a 'right to rent' in the UK. This includes British Citizens, European Economic Area or Swiss Citizens and other people with immigration permission to be in the UK.

You could be fined if you do not conduct these checks and allow tenants who do not meet the criteria to occupy properties that you rent to them.

### THE RIGHT TO RENT CHECK

1. Establish the adults who will live in the property as their only or main home and check on the immigration status of **ALL** adult family members.
2. Obtain original versions of one or more of the acceptable documents for adult tenants (occupiers)- This is usually a passport or biometric residence permit.
3. Check all documents in the presence of the holder of the documents.
4. Make clear, accurate copies of all documents and retain them with a record of the date on which the check is made
5. If there are any children occupying the property that will turn 18 during the term of the tenancy, diarise a follow up check when they turn 18.
6. If you acquire a property with sitting tenants (occupiers), confirm with the transferring landlord the documents checks have been undertaken. Retain evidence to demonstrate this if a new tenancy is being created.
7. If the initial checks indicate that an occupier has a time-limited right to rent, diarise a follow-up check before the expiry date of the permission to stay

#### Notes

Right to rent check on prospective tenants may only be undertaken and recorded up to 28 days before the tenancy agreement comes into effect.

You must conduct all checks on:

All Individuals for all leases granting a right of occupation for a term of up to 7 years

All lodgers- a lodger is someone who pays money to live in a property as their only or main home

All adult sub-letters and sub-occupiers, if you sub-let a property

You must not instruct or induce another person to discriminate or to publish an advertisement or notice that indicates an intention to discriminate

If you make a repeat check or the tenants do not co-operate the Home Office request that you should contact them.

\*Birmingham, Walsall, Sandwell Dudley and Wolverhampton must carry out the right to rent checks

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