

Appendix

Sources of references

hastings.gov.uk
propertyhawk.co.uk/index.php?page=biblr&id=85
england.shelter.org.uk
epcregister.co.uk
hsegassafe.gov.uk
firesafe.org.uk
mydeposits.co.uk
electricalsafetyfirst.org.uk

Know your rights and responsibilities

Certificates & Deposits



Certificates

Your landlord's responsibilities:

Gas safety certificate:

All landlords must have an annual gas safety check carried out on any gas appliances e.g. gas hob or gas boiler and you must receive a copy of the certificate. If you don't, you can report it to the Health & Safety Executive who will investigate the matter.

Website www.hse.gov.uk

Electrical certificate:

Landlords are required by law to ensure that the electrical installation in a rented property is safe when tenants move in and maintained in a safe condition throughout its duration. This is normally achieved by engaging a competent person to undertake a full inspection and test of the electrical installation, and provide certification confirming that it is safe.

Any free-standing electrical appliances (e.g. a kettle) supplied by the landlord must have a Portable Appliance Test (PAT) to make sure they are safe. It is a criminal offence under the Electrical Equipment (Safety) Regulation 1994 and the Consumer Act 1997 not to do this. Visit website www.hse.gov.uk to report if your appliances are not PAT tested.

Energy Performance Certificate (EPC)

The idea of an EPC is to assess how energy efficient is the property.

Your landlord must obtain an EPC on all rental properties. You must have a copy of it with your tenancy agreement when you move in. The certificate is valid for 10 years. You can check if there is one

registered for your property by visiting www.epcregister.com simply put in your postcode.

Furniture & furnishings:

If your landlord supplies any furniture, it must comply with the Furniture & Furnishing (fire safety) Regulation 1988. It covers items such as three piece suites, mattresses and loose coverings such as pillows, duvets etc. for more information on how to find out if items your landlord has supplied comply, visit www.firesafe.org.uk. To report unsafe furniture or furnishing email trading.standards@eastsussex.gov.uk

Your responsibilities:

- Do not carry out any alterations to the electrical installation e.g. installing an outside light or running an extension to an outside shed. You must get your landlord's permission and use a registered electrical engineer.
- Do not overload the electrics by having multiple extension leads. Let your landlord know if you require additional sockets.
- Run the boiler for the heating at regular intervals during summer months to ensure that it works.
- Look after any electrical appliances supplied by the landlord e.g. keep ovens clean.
- Repair any damage to furniture or furnishings supplied by the landlord.
- Do not drill holes in outside walls which could damage the structure and allow damp to affect the building.

Deposits

Your landlord's responsibilities:

Registering and returning a deposit:

Your landlord must register the deposit with a government-backed deposit protection scheme (TDP) within 30 days of you moving in. You should be provided with a reference number and details of which scheme has been used. Your landlord can be fined for failure to secure the deposit and your landlord may not be able to serve a section 21 notice. You may also be entitled to compensation.

The deposit must be returned within 10 days of you vacating the property and handing back the keys.

Withholding a deposit:

Your landlord must write to you within 10 days of you vacating the property if they intend to withhold the deposit and give the reasons for doing so, i.e. the amount they feel they need to take for repairing the property. In the event of this your landlord must unprotect the deposit with the deposit scheme, and the deposit scheme will issue a certificate. Your landlord must do this because if the dispute goes to court the judge will ask to see this certificate.

Your responsibilities:

To ensure you get all of your deposit back when you move out you should:

- Make sure you agree and sign the inventory with the agent/landlord when you move in.

- Give the property a thorough clean, including carpets, windows, walls, kitchen cupboards, oven and bathroom before moving out.
- Make good any holes in walls where pictures and mirrors have been hung.
- Tidy up the garden and remove all rubbish from out houses and sheds.
- Remove all items from the loft and dispose of any rubbish.
- Remove all personal belongings.
- Leave the property as you would expect to find it as an incoming tenant.
- Be present when the landlord/agents inspect the property to ensure you are both happy with the condition.
- Return all keys.

If your landlord informs you they are going to withhold the deposit and you believe it is unreasonable, you can register a dispute with the deposit scheme your landlord used. This will allow you to challenge your landlord's decision to use your deposit.

You must register your dispute within 3 months of vacating the property.

For further information you can visit www.mydeposits.co.uk website. They can give you advice on how to dispute the withholding of the deposit and may be able to assist you to settle the dispute. Alternatively you can go to court.

If no dispute is lodged your landlord should within a reasonable time send you invoices and a final account for works carried out. This is usually within 3 months.