

Appendix
Sources of references

hastings.gov.uk
england.shelter.org.uk

Know your rights and responsibilities

Dealing with disrepairs



Your landlord's responsibilities:

Your landlord has a responsibility to maintain and repair the property you are renting. If something needs repairing you should always contact your landlord or managing agent to report the problems straight away to them. If you initially report the disrepair verbally, you must also immediately confirm the disrepair issues in writing.

If the landlord or managing agent ignores the complaint or fails to give an adequate response within 14 days, you may decide to report it to the council. See below for how to do this. They will fill in the online form as you are registering your complaint with them.

If the council decides to inspect your property, they have to legally inform your landlord beforehand. If this is not done, the council will be unable to take any action from the visit, even if problems are identified with the property.

The next stage is for the council to serve an Improvement Notice or Notice of Emergency Remedial Action under the Housing Act 2004.

Retaliatory evictions

If after receiving the Improvement Notice or Notice of Emergency Remedial Action your landlord then serves a Section 21 notice to evict you, the notice may be invalid for 6 months – you may want to take legal advice. Retaliatory evictions are covered under Section 33 of the Deregulation Act 2015, and apply to assured shorthold tenancies starting on or after 1 October 2015, or in certain circumstances, a tenancy renewed after this date.

Doing your own repairs

If you have reported something that needs repairing to your landlord or managing agent and they haven't responded, but you don't want to report it to the Council, you can use your rent money to get the repairs done. However, it is vital that you follow the correct procedure in order to do this, so that you do not get evicted for rent arrears. It is highly advisable to seek independent legal advice.

For further information you can visit: www.England.shelter.org.uk

Your responsibilities:

You must give your landlord access to the property to inspect it or carry out repairs. Your landlord has to give you at least 24 hours' notice and visit at a reasonable time of day, unless it's an emergency and they need immediate access. Your landlord should not just turn up without notice as this is classed as harassment.

You must also:

- Take good care of the property – e.g. by turning off the water at the mains if you're away in cold weather, keeping it clean etc.
- Carry out any maintenance you have agreed to as part of the tenancy e.g. unblocking drains, or clearing gutters.
- Pay the agreed rent, even if repairs are needed or you're in dispute with your landlord.
- Pay other charges as agreed with the landlord - these may include Council Tax or utility bills.
- Repair or pay for any damage caused by you, your family or friends.
- Only sublet a property if the tenancy agreement, or your landlord, allows it.
- Always ask your landlord about having pets. This might also be the terms of your tenancy.

- Be neighbourly, minimising noise or other disturbances, for instance, tell your neighbours if you are going to have a gathering or carrying out works involving drills etc.
- Dispose of your household rubbish in the appropriate manner, keeping refuse areas clear and clean.
- Inform your agent or landlord if you intend to be away for any length of time from the property usually more than 14 days to prevent your landlord believing you may have abandoned the property.
- Properly heat and ventilate your property to prevent the build up of damp and condensation, if you want more advice email the Housing Renewal Team at housingadmina@hastings.gov.uk

Remember you have the right to quiet enjoyment of the property you rent and your landlord should respect this. As a tenant you should also respect the property you are renting and treat it as you would your own home.

How to report a problem to Hastings Borough Council

- 1 Go to my.hastings.gov.uk
- 2 If it's your first time, register with your email address and create a password. If you've already done this, log in.
- 3 Select 'Do it online'
- 4 Select 'Housing disrepair complaint'
- 5 Fill in the online form.

If you don't have internet access, call our Community Contact Centre on **01424 451100** and a member of staff will fill out the form for you.