

Important Information for Landlords

About Ourselves

Your local Estate agent with a difference, Probably, the cheapest locally and online.

With over 30 years of collective experience in sales, lettings and the financial market. our success is predominantly down to our warm and approachable staff who have a wealth of local knowledge they work hard to achieve the best possible price for your property whilst ensuring the whole process goes smoothly, with minimal effort on your part, as the staff will go the extra mile to ensure your needs are met.

These are some of the things we help with for you to feel more at ease.

- Free helpful advice on all aspects of buying, selling and letting
- Accompanied viewings
- Eye catching 'For Sale' boards
- Competitive commission rates
- Expert local knowledge

Excellent communication skills is a key factor to our success, and just because you're selling or letting your property it doesn't mean the rest of your busy life needs to be put on hold. .

By using our online system you as a vendor and landlord have 24/7 access to up-to-date information on your property such as amount of viewings taken, offers taken, end of year statements, monthly statements etc., what's more tenants may also log in so they can make maintenance requests so no more leaving a problem unreported making it easier to maintain properties and at the end of a tenancy less to do to bring the property up to scratch.

- Sales
- Lettings
- Commercial
- Residential & Business insurance
- Property reports for Immigrations
- Rent collection & Debit recovery service

A Personal Service

Because we are a small firm, we are able to offer a personal and friendly Service, whilst at the same time maintaining a high standard of competence and professionalism.

Competitive Rates

Our fees are competitive and may be open to negotiation dependent on the level of Service required. We are particularly committed to investment Landlords and savings can be made on the smallest of portfolios.

Carefully Selected Quality Tenants

Drawn from a continually updated register, all prospective Tenants are thoroughly referenced and credit checked. In some cases we will also require a guarantor.



1 We are part of:

Haven Estates & Management Ltd |94 Abbeydale Road, Sheffield, S7 1FF

Registered company in England & Wales Reg:10296063| VAT: registration number 247 5004 20

Tel: 0114 2585044|Mobile: 07922278011

Email: hello@havenestatesheffield.com

Web:www.havenestatesheffield.com

Out of Hours Service

For our initial meetings with you we will if necessary be pleased to visit your property outside normal office hours, at a time that is convenient to you, and thus fit in with your busy schedule. A member of staff is also available on the telephone out of hours until the time stated in our accompanying letter.

Insurance for Landlords

We offer a range of competitively priced insurance products designed specially for Landlords, providing extra security and peace of mind. These include:

- * Guaranteed Rental Insurance
- * Legal Expenses Cover
- * Contents Insurance
- * Buildings Insurance

Levels of Service offered

A Tailored Service

Outlined below are the two basic elements of our Service. However, we maintain a flexible attitude, and are generally able to adapt our Service to meet our client's individual circumstances and needs, for example by providing a part only Service, or occasionally by taking on additional tasks and duties.

Full Management

This is our inclusive Service, which provides for the marketing of the property and carrying out viewings, leading to the introduction and vetting of a prospective Tenant. This proving satisfactory, we will then go ahead and prepare the tenancy agreement, and if required an inventory. The Tenant will then be checked in against the inventory.

During the tenancy we carry out periodic inspection visits. Should these bring to light any maintenance issues, we will (within the confines of our Management Agreement) recommend, oversee and account for any necessary repairs.

Collecting and processing of rental payments is also part of the Service. These will be credited automatically to the Landlord's nominated bank account.

Towards the end of the tenancy, we will liaise with the Tenant, and renew the tenancy agreement or arrange to check them out as applicable.

This Service is suitable for those Landlords who are not residing locally, or would rather not deal with the Tenants directly, preferring all aspects to be handled by an Agent.

In certain cases and areas there is selective licence in place please check Sheffield city council website to see which areas are affected.

The Landlord is fully responsible regarding the selective Licensing in any area, Section 80, Housing Act 2004, and has been made aware that we as agents have no responsibility regarding the Licence. The Landlord will be committing an offence if the property is not licensed or a licence is not applied for.



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If you are a landlord, or if you require any further information regarding this designation, or to apply for a licence further Information and assistance is available from the Council's Private Housing Standards team

by telephone on 01142734680 or online at: www.sheffield.gov.uk/selectivelicensing or email: selectivelicensing@sheffield.gov.uk, or by writing to Private Housing Standards, Sheffield City Council, 1st Floor Howden House, Sheffield S1 2SH

Rent Collection only

Where we will only collect the rent from the property or receive it via bank.

Letting Only

Our Letting Only Services includes marketing of the property and carrying out viewings, leading to the introduction and vetting of a prospective Tenant. This proving satisfactory, we will then go ahead and prepare the tenancy agreement, and if required an inventory.

Following this, the first month's rent will be collected and credited to the Landlord less our agreed fee. Managing the tenancy, including the maintenance and rent collection, will then be the responsibility of the Landlord.

General Practical and Legal Issues

Preparing the Property

We have found that a good relationship with Tenants is the key to a smooth-running tenancy. As Property Managers this relationship is our job, but it is important that the Tenants should feel comfortable in their temporary home, and that they are receiving value for their money. It follows therefore that a well presented and maintained property in a good decorative order will go towards this, whilst also achieving a higher rental figure. Tenants are also more inclined to treat such a property with greater respect.

General Condition

Electrical, gas plumbing, waste, central heating and hot water systems must be safe, sound and in good working order. Repairs and maintenance are at the Landlords expense unless misuse can be established. Interior decorations should be in good condition and preferably plain, light and neutral.

Furnishings

Your property can be let fully furnished, part furnished or unfurnished. Which of these is appropriate will depend on the type of property and local market conditions. We will be pleased to give you advice on whether to furnish or not and to what level. As a minimum you will need to provide decent quality carpets, curtains and light fittings. Remember that there will be wear and tear on the property and any items provided. If letting furnished, you'll find a list of recommended items on page 4.

Personal items, ornaments etc.

Personal possessions, ornaments, pictures, books etc. should be removed from the premises, especially those of real or sentimental value. Some items may be boxed, sealed and stored in the loft at the owner's risk. All cupboards and shelf space should be left clear for the Tenant's own use.

Gardens

Gardens should be left neat, tidy and rubbish free, with any lawns cut. Tenants are required to maintain the gardens to a reasonable standard, provided they are left the necessary tools. However, few Tenants are experienced gardeners, and if you value your garden, or if it is particularly large, you may wish us to arrange visits by our regular gardener.

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Cleaning

At the commencement of the tenancy the property must be in a thoroughly clean condition, and at the end of each tenancy it is the Tenants' responsibility to leave the property in a similar condition. Where they fail to do so, cleaning will be arranged at their expense.

Information for the Tenant

It is helpful if you leave information for the Tenant, e.g. on operating the central heating and hot water system, washing machine and alarm system, and the day refuse is collected etc.

Keys

You should provide one set of keys for each Tenant. Where we will be managing we will arrange to have duplicates cut as required.

Other Considerations

Mortgage

If your property is mortgaged, you should obtain your mortgagee's written consent to the letting. They may require additional clauses in the tenancy agreement of which you must inform us.

Leaseholds

If you are a leaseholder, you should check the terms of your lease, and obtain any necessary written consent before letting.

Insurance

You should ensure that you are suitably covered for letting under both your buildings and contents insurance. Failure to inform your insurers may invalidate your policies. We can advise on Landlords Legal Protection, Rent Guarantee Cover and Landlords Contents and Buildings Insurance if required.

Bills and regular outgoings

We recommend that you arrange for regular outgoings e.g. service charges, maintenance contracts etc. to be paid by standing order or direct debit. However where we are managing the property, by prior written agreement we may make payment of certain bills on your behalf, provided such bills are received in your name at our office, and that sufficient funds are held to your credit.

Council tax and utility accounts

We will arrange for the transfer of Council Tax and utility accounts to the Tenant. Meter readings will be taken, allowing your closing gas and electricity accounts to be drawn up. All these matters we will handle for you, however British Telecom will require instructions directly from both the Landlord and the Tenant.

Income tax

When resident in the UK, it is entirely the Landlords responsibility to inform the Revenue & Customs of rental income received, and to pay any tax due. Where the Landlord is resident outside the UK during a tenancy, he will require an exemption certificate from the Revenue & Customs before he can receive rental balances without deduction of tax. Where we are managing the property we will provide advice and assistance on applying for such exemption.

The inventory

It is most important that an inventory of contents and schedule of condition be prepared, in order to avoid misunderstanding or dispute at the end of a tenancy. Without such safeguards, it will be impossible for the Landlord to prove any loss, damage, or significant deterioration of the property or contents. In order to



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provide a complete Service, we will if required arrange for a member of staff to prepare an inventory and schedule of condition, at the cost quoted in our Agency Agreement.

What is an Assured Shorthold Tenancy?

Most tenancies will automatically be Assured Shorthold Tenancies (ASTs), provided the rent is under £25,000 a year and the property is let to private individuals. Tenancies are usually granted for an initial fixed term of either 6 to 12 months. When the fixed term has expired the landlord is able to regain possession of the property provided he gives two months written notice to the tenant. In addition, if the tenant owes at least 2 months or 8 weeks rent on the property he can apply through the court to seek a possession order.

Health and Safety and other Legal Requirements

The following requirements are the responsibility of the owner (Landlord). Where you have signed our Full Management Agency Agreement, they are also our responsibility. Therefore where we are managing we will need to ensure compliance.

Gas

Annual safety check

Under the Gas Safety (Installation and Use) Regulations 1998 all gas appliances and flues in rented accommodation must be checked for safety within 12 months of being installed, and thereafter at least every 12 months by a competent engineer (e.g. a CORGI registered gas installer).

Maintenance: There is a duty to ensure that all gas appliances, flues and associated pipe work are maintained in a safe condition at all times.

Records: Full records must be kept for at least 2 years of the inspections of each appliance and flue, of any defects found and of any remedial action taken.

Copies to tenants: A copy of the safety certificate issued by the engineer must be given to each new tenant before their tenancy commences, or to each existing tenant within 28 days of the check being carried out.

Electrical

There are several regulations relating to electrical installations, equipment and appliance safety which affect landlords and their agents in that they are 'supplying in the course of business'. They include the Electrical Equipment (Safety) Regulations 1994, the Plugs and Sockets Regulations 1994, the 2005 Building Regulation - 'Part P, and British Standard BS1363 relating to plugs and sockets. Although with tenanted property there is currently no legal requirement for electrical safety certificates (except in the case of all HMOs) it is now widely accepted in the letting industry that the only safe way to ensure safety, and to avoid the risk of being accused of neglecting your 'duty of care', or even of manslaughter is to arrange electrical inspections and the issue of safety certificates. There are 2 types of electrical inspection, one of the actual installations, and another of any portable electrical appliances (PAT test).

Fire

The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (amended 1989 & 1993) provide that specified items supplied in the course of letting property must meet minimum fire resistance standards. The regulations apply to all upholstered furniture, beds, headboards and mattresses, sofa-beds, futons and other convertibles, nursery furniture, garden furniture suitable for use in a dwelling, scatter cushions, pillows and non-original covers for furniture. They do not apply to antique furniture or furniture made before 1950, bedcovers including duvets, loose covers for mattresses, pillowcases, curtains, carpets or sleeping bags. Items which comply will have a suitable permanent label attached. Non-compliant items must be removed before a tenancy commences.

Smoke Alarms



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All properties built since June 1992 must have been fitted with mains powered smoke detector alarms from new.

From 1 October 2015, to have:

- at least one smoke alarm installed on every storey of their rental property which is used as living accommodation, and
- a carbon monoxide alarm in any room used as living accommodation where solid fuel is used.

After that, the landlord must make sure the alarms are in working order at the start of each new tenancy.

2. Who is responsible for checking the required alarms are in working order? The regulations require landlords to ensure alarms are installed in their properties with effect from 1 October 2015. After that the landlord (or someone acting on behalf of the landlord) must ensure all alarms are in working order at the start of each new tenancy. After the landlord's test on the first day of the tenancy, tenants should take responsibility for their own safety and test all alarms regularly to make sure they are in working order. Testing monthly is generally considered an appropriate frequency for smoke alarms. If tenants find that their alarm(s) are not in working order during the tenancy, they are advised to arrange the replacement of the batteries or the alarm itself with the relevant landlord.

3. Is there a 'grace' period for landlords? No. Landlords are expected to be compliant from 1 October 2015. There will be no grace period after this date to install the required alarms.

4. When must the alarms be checked? For each new tenancy beginning on or after 1 October 2015, landlords must check that the required alarms are in working order on the first day of the tenancy. The first day of the 7 tenancy is the date stipulated in the tenancy agreement, even where the tenant decides to actually move into the property on a later date. The intention of the regulations is to increase the safety of private sector tenants by ensuring that they have working alarms at the beginning of the tenancy.

5. What if the tenant won't allow the landlord access to the premises to install the alarms or take the remedial action? The landlord should write to the tenant to explain that it is a legal requirement to install the alarms and that it is for the tenant's own safety. If the local authority has reasonable grounds to believe the landlord has not complied with the regulations a remedial notice will be issued, detailing the suspected breach and required action. If the landlord proves compliance, either by becoming compliant or proving they were already compliant, to the relevant local authority or demonstrates they have taken all reasonable steps, other than legal proceedings, to become compliant within 28 days of the notice being issued then they will be exempt from the civil penalty – which could be up to £5,000.

FAQ: Alarms

6. What type of alarm should be installed? The regulations do not stipulate the type of alarms (such as hard wired or battery powered) to be installed. Landlords should make an informed decision and choose the best alarms for their properties and tenants.

Is your property a House in Multiple Occupation (HMO)?

If your property is on 3 or more levels and let to 5 or more tenants comprising 2 or more households (i.e. not all of the same family) it will be subject to mandatory licensing by your local authority. Whether mandatory licensing as above applies or not, if there are 3 or more tenants not all related in any property, it is still likely to be an HMO, and special Management rules apply. Ask your Letting Agent or local authority for details. Learn more here: <http://www.propertylicencence.gov.uk>

The Housing Health and Safety Rating System (HHSRS)

The HHSRS provides an analysis of how hazardous a property is through assessment of 29 potential hazards found in housing. Landlords have to maintain their properties to provide a safe and healthy environment. The HHSRS is enforced by local authorities. For further information visit <http://www.communities.gov.uk/hhsrs>

Tenancy Deposit Protection (TDP)

Since 6 April 2007, all deposits taken by landlords and letting agents under Assured Shorthold Tenancies (ASTs) in England and Wales must be protected by a tenancy deposit protection scheme. Landlords and letting agents must not take a deposit unless it is dealt with under a tenancy deposit scheme. To avoid any disputes going to court, each scheme is supported by an alternative dispute resolution service (ADR). Landlords and letting agents can choose between two types of scheme; a single custodial scheme and two insurance-based schemes.



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Learn more here: <http://www.direct.gov.uk/en/TenancyDeposit/index.htm>.

If we are not providing our Full Management Service we will normally transfer the tenancy deposit to you within 5 days of receiving it. You must then register it with a Deposit Protection Scheme within a further 25 days if the tenancy is an Assured Shorthold Tenancy. If you fail to do so the tenant can take legal action against you the landlord in the county court. The court will make an order that you must pay the deposit back to the tenant or lodge it with the custodial scheme, which is known as the Deposit Protection Scheme (DPS). In addition a further order will be made requiring you pay compensation to the tenant of an amount equal to three times the deposit. You will be unable to serve a Section 21 Notice on your tenant until compliance with the above conditions, and the court will not grant you a possession order. We have no liability for any loss suffered if you fail to comply.

Tenancy deposit protection - prescribed information

Legislation requires that certain information must be given to the tenant within 30 days of a deposit being taken. Whether you use the DPS, or the TDSL scheme, only some of the information is provided to the tenants by the scheme administration. The remainder must be provided by the landlord.

A special 'Tenancy Deposit - Prescribed Information' form has been designed for this purpose and a copy is available from this agency.

It is very important that the form is completed fully and accurately, and that you attach to it a printed version of the relevant scheme's Terms and Conditions. These can be downloaded from their respective websites on the following links, depending on which scheme you use:

DPS:

www.depositprotection.com/Documents/scheme_rules.pdf

TDSL:

www.mydeposits.co.uk/pdf/mydeposits_Information_for_Tenants.pdf

www.mydeposits.co.uk/pdf/mydeposits_Landlord_Overview.pdf

In the case of the TDSL you should attach copies of both documents.

It is also important that under Paragraph 7 of the form you include the exact terms in the tenancy agreement that permit deductions from the deposit.

It is recommended that a signed copy of the form is given to each tenant individually. You should also retain a single copy signed by every tenant, in order to prove that the information has been given. So where there are say 4 tenants, you need 5 copies.

Be sure to comply with the above requirements fully and accurately, because penalties to the landlord for non-compliance are heavy.

Where we are providing our Full Letting & Management Service we will handle all of this for you as part of our service.

The Disability Discrimination Act 2005

The DDA 2005 addresses the limitations of current legislation by extending disabled people's rights in respect of premises that are let or to be let, and commonhold premises. Landlords and managers of let premises and premises that are to let will be required to make reasonable adjustments for disabled people. Under the new duties, provided certain conditions are met (for example, that a request has been made), landlords and managers of premises which are to let, or of premises which have already been let, must make reasonable adjustments, and a failure to do so will be unlawful unless it can be justified under the Act. Landlords will only have to make reasonable adjustments. And they will not have to remove or alter physical features of the premises.

Learn more here: http://www.dwp.gov.uk/aboutus/dda_factsheet4-premises.pdf

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Home Information Pack (No 2) Regulations 2007, The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007

From 1st October 2008 landlords offering property to let will be required by law to provide prospective tenants with an Energy Performance Certificate for their property.

A new certificate will not be required on each let since, in the case of rental property, EPCs will be valid for 10 years.

The certificates (EPCs) will have to be provided free either when (or before) any written information about the property is provided to prospective tenants or a viewing is conducted.

We have a database of registered energy assessors, and we will be pleased to arrange an EPC inspection and assessment on your property upon request.

Please note that we will need in our possession a valid EPC for the property and once taken a deposit for the property a valid Gas cert.

We hope that the information covered in this guide will be of assistance to you. If there are any aspects of which you are unsure, please ask us. We look forward to being of assistance to you in the Letting, or the Letting and Management of your property.

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