

10 rights of private tenants

This factsheet sets out 10 important legal rights you have as a tenant if you rent from a private landlord and you have an assured shorthold tenancy.

If you have an assured shorthold tenancy (AST), you have the 10 rights listed below.

Most tenants who rent rooms, flats or houses from a private landlord have ASTs. You have these rights even if you don't have a written contract.

1. Information about your tenancy

If you ask your landlord, they must put the following in writing: the date your tenancy started, the length of your agreement, the rent and any provision for increasing it.

2. Address for your landlord

Your landlord must tell you where in England or Wales you can write to them.

3. Deciding who comes into your home

You have the right to decide who can come into your home. Your landlord cannot enter your home without your permission. You must allow reasonable access for inspections and repairs.

4. Not to be harassed in your home

A minority of landlords make life difficult for tenants, for example by constantly visiting or by cutting off the gas and electricity. It is illegal to harass you.

5. Protection of your deposit

Your landlord must protect your tenancy deposit in a government-approved scheme. If they don't do this, the court can order your landlord to pay you compensation. From 1 June 2019, your landlord cannot charge a deposit higher than 5 weeks' rent (6 weeks' if your yearly rent is £50 000 or more). It is more difficult for your landlord to evict you if they charge you a deposit that is too high and/or don't protect it.

6. To stay after a fixed-term ends

If your tenancy is for a fixed period you don't have to move out when that period ends. If you stay, your rights as a tenant continue.

7. Eviction to be lawful

Your landlord can only evict you after serving the correct notice and getting a possession order from the court. If you don't then move out, only bailiffs authorised by a court can evict you.

8. Repairs must be carried out

Your landlord is responsible for most repairs, including to the boiler, heating, roof and windows. If there is disrepair, tell the landlord straight away – preferably in writing. You should consider the risk that your landlord may take steps to evict you rather than do the work. If you get the council's environmental health involved, you may get some protection from 'revenge eviction'. It depends on what action is taken.

9. Your home must be safe

Your landlord must install working a smoke alarm on each floor of your home. They must also install a carbon monoxide alarm in any room with a solid fuel appliance or burner. Solid fuels include coal and wood.

Your landlord must arrange for any gas appliances to be inspected every year by a Gas Safe registered engineer.

Your landlord has to make sure your home is fit to live in.

10. Record of rent payments

Your landlord only has to give you a rent book if you pay your rent weekly. If possible, pay your rent through a bank or post office, or by cheque, so you have a record of what you have paid. If you pay in cash, get receipts.

This factsheet is for assured shorthold tenants only. The 10 rights may not apply to you if:

- your landlord lives in the same property as you
- your tenancy started before 28 February 1997
- your accommodation was provided with your job.

Further advice

You can get further advice from england.shelter.org.uk/housing_advice, local Shelter advice service or local Citizens Advice. If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on **0808 800 4444** for advice and information on your options.*

*Calls are free from UK landlines and main mobile networks.



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Note

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