

# Is your home fit to live in?

**This factsheet explains when your landlord has to take steps to make your home fit to live in, and what you can do if your landlord does nothing.**

The fitness for habitation law may mean your home must be fit for habitation.

## Who is covered?

If you rent from a housing association, your local council or from a private landlord, you are covered irrespective of your tenancy start date, unless:

- your fixed-term agreement with a private landlord or a housing association started before 20 March 2019 and you haven't renewed it or became a periodic tenant since. You will be protected if you renew or if your contract becomes 'rolling' in the future
- you have a fixed-term tenancy with a private landlord for 7 years or more
- you're in emergency accommodation waiting for the council to make a decision on your homeless application
- you are a licensee - this includes most lodgers and some people who are waiting for the council to offer them somewhere permanent to live after their homeless application has been accepted
- your introductory tenancy started before 20 March 2019, was extended after this date but the extension hasn't expired yet
- you have a shared ownership agreement.

## What your landlord must do

Your landlord must make sure your home is fit to live in:

- when you move in, and
- throughout the time you are a tenant.

If it isn't, they must do whatever work is needed to make it fit.

## Is your home unfit?

There are many reasons why your home might be unfit, for example:

- there's severe damp or condensation
- the electrical wiring is faulty
- it's very cold throughout the winter
- the roof is leaking
- it's infested with rats or other vermin
- the toilet facilities are unsanitary

Minor problems won't make your home unfit, but this does not mean you can't ask your landlord to sort it out.

Sometimes your property will be unfit because your landlord has not carried out repairs. For information about what you also do about repairs see the factsheets 'Responsibility for repairs' and 'Taking action on disrepair' in the [Repairs & safety](#) section.

Your landlord won't be responsible for fixing the problem if you caused it.

## Report the problem

Tell your landlord about the problems in your home. Your landlord won't have to do anything until you do. If you ring them also put in it writing or an email so you have proof they were told.

This doesn't apply if the problem is in common parts of the building owned by your landlord – such as a lift or common stairwell. But it is always best to tell them anyway.

Some private landlords may take steps to evict you if you complain - you must weigh up this risk.

## Taking action

Many landlords will take steps to make sure your property is fit to live in. Some won't.

You can take your landlord to court to:

- order your landlord to do what's needed
- pay you compensation.

You could get legal aid if:

- there's a serious risk to the health and safety of your household, and
- you're on a low income or claim benefits.

Contact Civil Legal Advice on **0345 3454 345** to check if you can get legal aid.

You can also report the problem to your local council's environmental health team. They could order your landlord to carry out work if there's a risk to your health or safety.

## Further advice

You can get further advice from [england.shelter.org.uk/housing\\_advice](http://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

Information contained in this factsheet is correct at the time of publication. Please check details before use.