



# Rights for private tenants

Whether you are renting a room, a flat or a house from a private landlord, you will have certain rights and responsibilities. For example, you will be responsible for paying the rent. This factsheet sets out ten of your basic rights. You will have these rights even if you do not have a written tenancy agreement.

**This factsheet is for assured shorthold tenants and so may not apply to you if:**

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

**Most tenants with private landlords are assured shorthold tenants.**



## Information about your tenancy

If you ask your landlord s/he must write to you setting out some of the basic facts about your tenancy – the date your tenancy started and the amount of rent you'll be expected to pay, and if appropriate, any information about increasing the rent and the length of your tenancy agreement.



## Address for your landlord

Your landlord must ensure you have an address in England or Wales where you can write to her/him.



## Deciding who comes into your home

You have the right to decide who can come into your home. The landlord does not have the right to enter without your invitation – although you must allow reasonable access for repairs to be carried out.



## Your right to remain in your home

Your landlord can only evict you if s/he gets a court order, and even then you have the right to stay until s/he gets a bailiff's warrant.



## After the end of a fixed-term tenancy

If you have a tenancy for a fixed period (for example for 6 or 12 months) you do not have to move out when that period ends. If you do not sign a new agreement, your tenancy automatically becomes a 'periodic' tenancy. Your landlord can only evict you by serving notice and then getting a possession order.



## Your right to enjoy your home

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



### Your right to live in a safe home

If bad housing conditions are putting your health or safety at risk, you can get help and advice from Hackney's Private Sector Housing Team. If you have gas, your landlord must arrange for the appliances to be inspected every year by a Gas Safe registered engineer.



### Your right to have repairs carried out

Your landlord is responsible for many repairs, including to the boiler, heating, roof and windows. If there is disrepair, inform the landlord straight away – preferably in writing. It is relatively easy to legally evict private tenants so you need to consider the risk that your landlord may take steps to evict you rather than do the work.



### Protecting your deposit

For tenancies starting on, or after 6 April 2007, your landlord must protect your deposit by placing it into one of the following government-approved schemes: Deposit Protection Scheme, MyDeposits, DepositGuard or the Tenancy Deposit Scheme, within 30 days of receiving it. S/he must provide you with all the information the law requires within 30 days, this includes:

- which tenancy deposit scheme is being used and the contact details for the scheme
- what you can do if there is a dispute about the deposit
- information about the purpose of a tenancy deposit
- how your money will be returned to you at the end of your tenancy.

If the landlord or agent does not protect your deposit or provide you with all the information above, the court can order your landlord to pay you compensation. To check if your deposit has been protected, ask your landlord or agent or visit the websites of the above government-approved schemes.



### Record of rent payments

This is not a right, but it is important! 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 payment. If you pay in cash, always ask for a receipt.

#### Useful organisations

You can get further advice from:

Shelter London Advice Line – 0344 515 1540 | [shelter.org.uk/advice](https://shelter.org.uk/advice)

Shelter Oak Foundation Project – 0344 515 2222

Community Legal Advice – 0845 345 4 345 | [communitylegaladvice.org.uk](https://communitylegaladvice.org.uk)

Deposit Protection Scheme – [depositprotection.com](https://depositprotection.com)

Directgov – [direct.gov.uk](https://direct.gov.uk)

Hackney Citizens Advice Bureau – 0844 499 1195

Hackney Community Law Centre – 020 8985 8364

LB Hackney Private Sector Housing Team – 020 8356 4866

LB Hackney Housing Options and Advice Service – 020 8356 2929

MyDeposits – [mydeposits.co.uk](https://mydeposits.co.uk)

Tenancy Deposit Scheme – [tds.gb.com](https://tds.gb.com)